

REPORT TO THE CITY COUNCIL

Approved by:

[Signature]

Gary Conte, Planning Manager

[Signature]

Arnoldo Rodriguez, City Manager

Council Meeting of: April 6, 2022

Agenda Item: C-1

SUBJECT:

Torres Way General Plan Amendment (GPA 2021-01) and related Negative Declaration (ENV 2021-64)

RECOMMENDATION:

Hold a public hearing, make the necessary findings, and adopt a resolution adopting the Initial Study/Negative Declaration and approve a General Plan Land Use designation amendment from LD (Low Density Residential) to HD (High Density Residential)

PROPOSAL:

A General Plan Amendment for the properties at the west side of Torres Way. The proposal includes an amendment to the General Plan Land Use designation from LD (Low Density Residential) to HD (High Density Residential). Pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study/Negative Declaration for the proposed project. No development is proposed for the 1.18-acre site as part of this proposal at this time.

Table 1: Project Overview	
<i>Project Number:</i>	General Plan Amendment (GPA) 2021-01
<i>Applicant:</i>	Alfredo Martinez
<i>Property Owner:</i>	Mario Nava
<i>Location:</i>	West side of Torres Way between West Lincoln Avenue and West South Street
<i>Project Area:</i>	1.18 acres, 51,400 square feet
<i>Plan Land Use:</i>	LD (Low Density Residential)
<i>Zoning District:</i>	R3 (High Density)
<i>Site Characteristics</i>	The project site is vacant with surrounding parcels predominantly developed with single family and multifamily residences to the north, south and east. To the west of the site is a large overflow parking area associated with Madera 2, a drive-in movie theatre. A small number of surrounding sites are undeveloped. Street frontage improvements vary between parcels, with some parcel frontages undeveloped and others including curb, gutter, and sidewalk.

SUMMARY:

The applicant, Mario Nava, is proposing a General Plan Amendment (GPA 2021-01) to bring the current R3 (High Density Residential) zoning district into consistency with the General Plan. Should the GPA be adopted, the applicant intends to develop one lot with a duplex residential unit consistent with the R3 zoning standards; however, the City does not currently have a building permit application for development.

It is noted that the Madera Municipal Code (MMC) allows single family dwellings and duplex dwellings to be reviewed ministerially as part of the building permit application. The duplex is anticipated to provide compatible single-family residences surrounding the site. The GPA is compatible with surrounding land uses and the project site is consistent with development standards contained within the Zoning Ordinance, General Plan and other applicable City plans and policies.

SURROUNDING LAND USES:

<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Single family residential	Low Density	R3 – High Density
<i>East</i>	Single family residential	Low Density	R1 - Low Density
<i>South</i>	Vacant lot with single family residential beyond	Low Density	C1 – Commercial
<i>West</i>	Parking lot associated with drive-in movie theater	High Density	R3 – High Density

ANALYSIS:

The MMC establishes procedures for the review and approval of GPAs (Section 10-3.1501). Additional development standards exist in the MMC, such as parking, setback, height, etc. for when physical development comes forward on the site. In addition to the MMC, the City’s General Plan includes community design, land use, circulation and infrastructure goals and policies specific to development within the City. The GPA is supported by policies within the Housing Element which include Policy H-1.1; Policy H-1.2; Policy H-1.3; and Policy H-3.2, discussed below in more detail.

The project proposes a GPA from LD (Low Density) residential to HD (High Density) residential land use designation. Enacting this amendment will bring continuity to the form of surrounding General Plan land use designations in addition to allowing the underlying zoning district to then become consistent for the current R3 (High Density) residential zoning district.

The General Plan in Chapter 8 ‘Land Use Element’ identifies low density residential as:

“...residential development at a density of 2.1 to 7 units per acre, with a target density of 5.25 units per acre. The Low Density Residential category represents the traditional single-family neighborhood with a majority of single-family detached homes. This is the predominant land use category of the City’s residential areas. “

High density residential is identified as:

“...residential development at a range of 15.2 To 50 units per acre, with a target density of 22.5 units per acre. High density residential is the most urban residential category available. The predominant style of development is larger apartment and condominium complexes. Vertical mixed-use projects with residential use are typically developed in the high-density category. Parking for these facilities is often provided in traditional surface lots located around the complex, although at higher densities parking may be in a parking structure or underground. This designation is intended to be applied to lands within walking distance of existing or planned shopping districts, and in Village Centers”

General Plan Amendment

The proposed project would be consistent with the General Plan as it recognizes the natural evolution of land uses over time. The General Plan currently designates the project site as LD (Low Density Residential) land use. The low-density designation provides for residential development at a density of 2.1 to 7 units per acre, with this category representing the traditional single-family neighborhood. This designation does not reflect the site-specific surroundings of the site or the opportunity for higher density designations where appropriate. The R3 zone allows for a greater number of residential units than the LD designation. The R3 zoning district allows for residential development at a ratio of one unit for every 1,800 square feet of site area. This amendment would promote the goals, policies, and objectives of the General Plan in the following housing policy categories:

- Policy H-1.1: The City shall ensure continued availability of suitable sites for construction of a variety of housing.
- Policy H-1.2: The City shall promote infill development and reuse of underutilized parcels, consistent with maintaining or enhancing the positive qualities of the surrounding neighborhoods.
- Policy H-1.3: Where appropriate, the City shall encourage developers/builders to develop their projects at the maximum density allowed under the General Plan land use designations and zoning provisions.
- Policy H-3.2: The City shall work to improve housing availability and conditions of lower- income households.

The proposed GPA adapts to changing needs to ensure continued availability of housing sites, promoting infill development, maximizing density and improving housing availability. The GPA promotes the fulfillment of these policy objectives.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW:

The proposed project has been reviewed for compliance with CEQA. The City has prepared an initial study and determined that the project could not have a significant effect on the environment, and that a Negative Declaration is appropriate for this project. The Initial Study/Negative Declaration (IS/ND) was published for a 21-day review and comment period commencing on February 10, 2022 and ending on March 4, 2022. No comments have been received as of the date of this report.

PLANNING COMMISSION REVIEW:

The Planning Commission held a public hearing to consider the project at their regular meeting on March 8, 2022. No members of the public addressed the Commission on this item. On a 5-0 vote, the Planning Commission adopted Resolution No. 1906, recommending that the City Council Adopt the proposed project and related Initial Study/Negative Declaration. The Planning Commission resolution recommending approval of the project is included in Attachment 9.

PUBLIC NOTICE:

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within at least a 300-foot radius of the subject property.

FISCAL IMPACT:

The applicant paid \$6,225 in Planning Department entitlement fees to offset the cost associated with processing GPA 2021-01. Additional fees will be required from the Planning, Engineering and Building Departments in conjunction with on-site development, civil improvement plans and building plan check and permitting.

ALTERNATIVES:

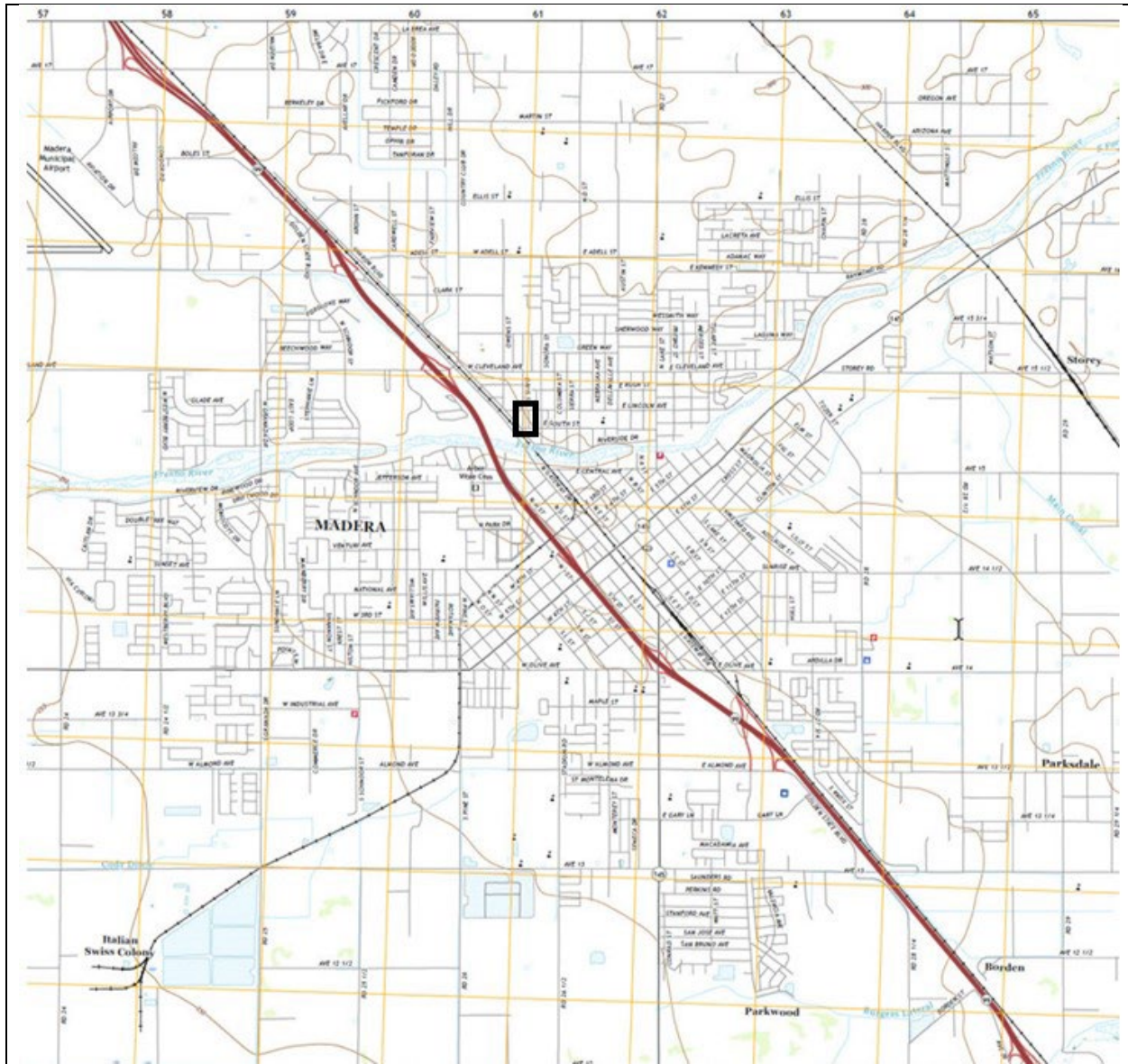
The Council could consider alternatives other than the Planning Commission and staff's recommendation for approval of the General Plan amendment. Those include:

1. Denial of the request for a General Plan amendment. Should the request be denied, the subject site would remain subject to the current General Plan Land Use designation.
2. Continue 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.

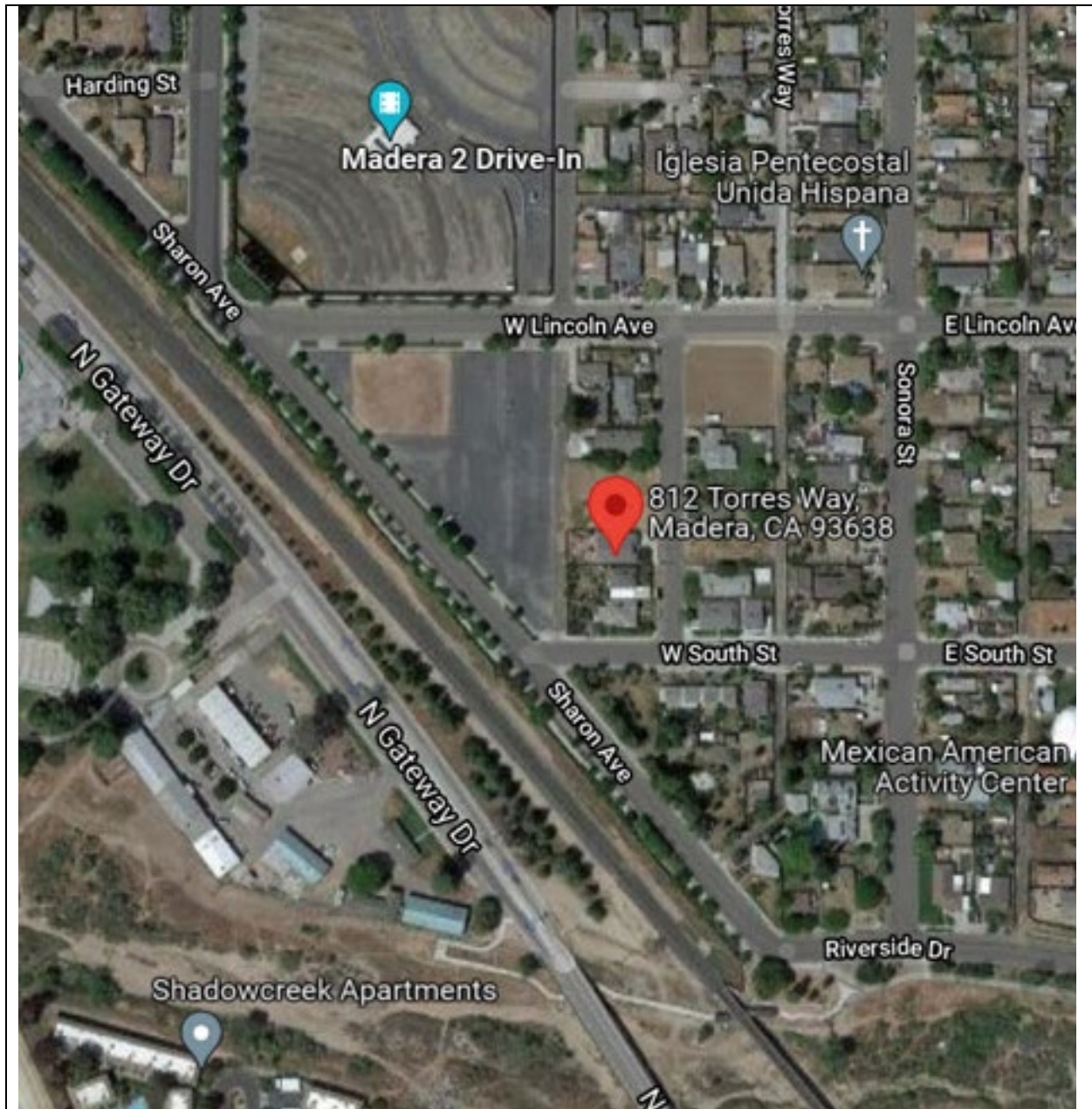
ATTACHMENTS:

1. Vicinity Map
2. Aerial Photo
3. General Plan Land Use Map - existing
4. General Plan Land Use Map - proposed
5. Zoning Map
6. Site Plan
7. City Council Resolution
8. Initial Study/Negative Declaration (IS/ND) for SPR 2021-01
9. Planning Commission Resolution No. 1906

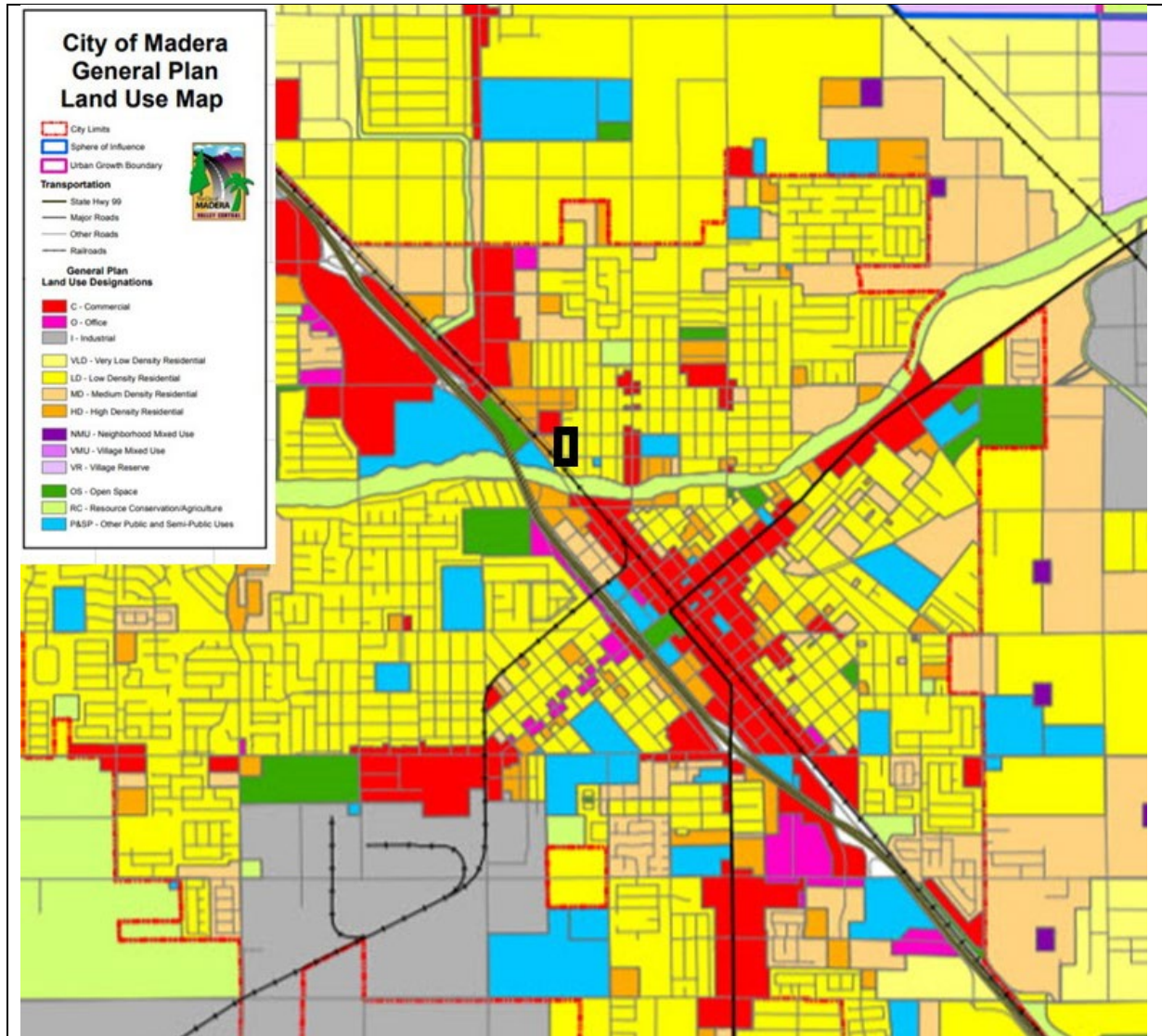
Attachment 1: Vicinity Map



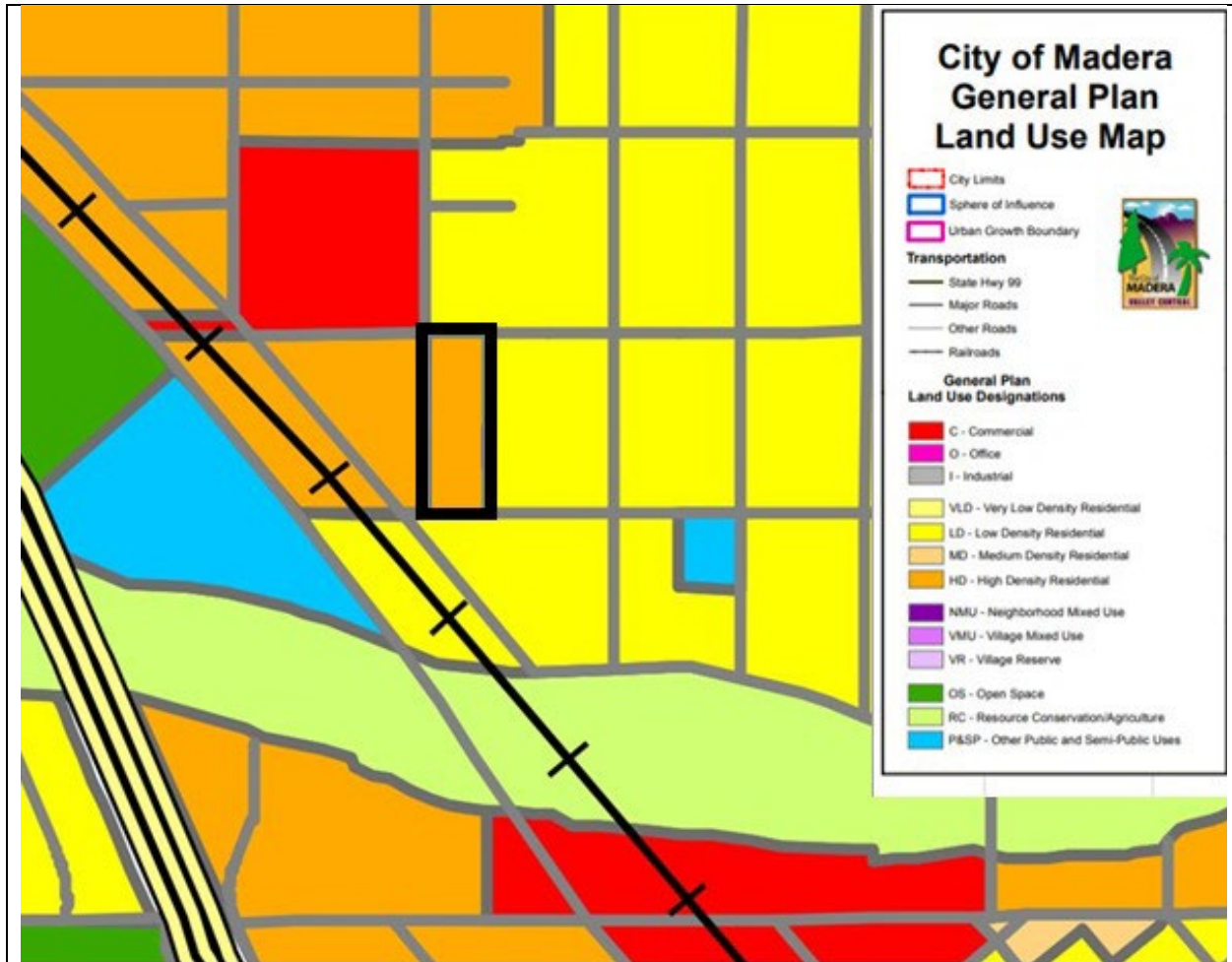
Attachment 2: Aerial Photo



Attachment 3: General Plan Land Use Map - Existing



Attachment 4: General Plan Land Use Map - Proposed



Attachment 5: Zoning Map



Attachment 7: City Council Resolution

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING
THE INITIAL STUDY/NEGATIVE DECLARATION UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND APPROVING THE AMENDMENT OF
THE GENERAL PLAN LAND USE DESIGNATION AT THE WEST SIDE OF
TORRES WAY BETWEEN WEST LINCOLN AVENUE AND WEST SOUTH
STREET FROM THE LD (LOW DENSITY) TO HD (HIGH DENSITY)**

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

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

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

WHEREAS, a proposal has been made requesting an amendment to the Madera General Plan amending the land use designation for approximately 1.18 acres of property located at the west side of Torres Way from LD (Low Density) land use designation to the HD (High Density) land use designation, as shown in the attached Exhibit A; and

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

WHEREAS, the proposed General Plan amendment is compatible with the neighborhood and 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 (IS/ND) for the project in compliance with the California Environmental Quality Act; and

WHEREAS, following a public hearing on March 8, 2022, the Planning Commission adopted Resolution No. 1906, recommending adoption of the IS/ND, and approval of the General Plan Amendment, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, the Negative Declaration, General Plan amendment 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, 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 City Council 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; and

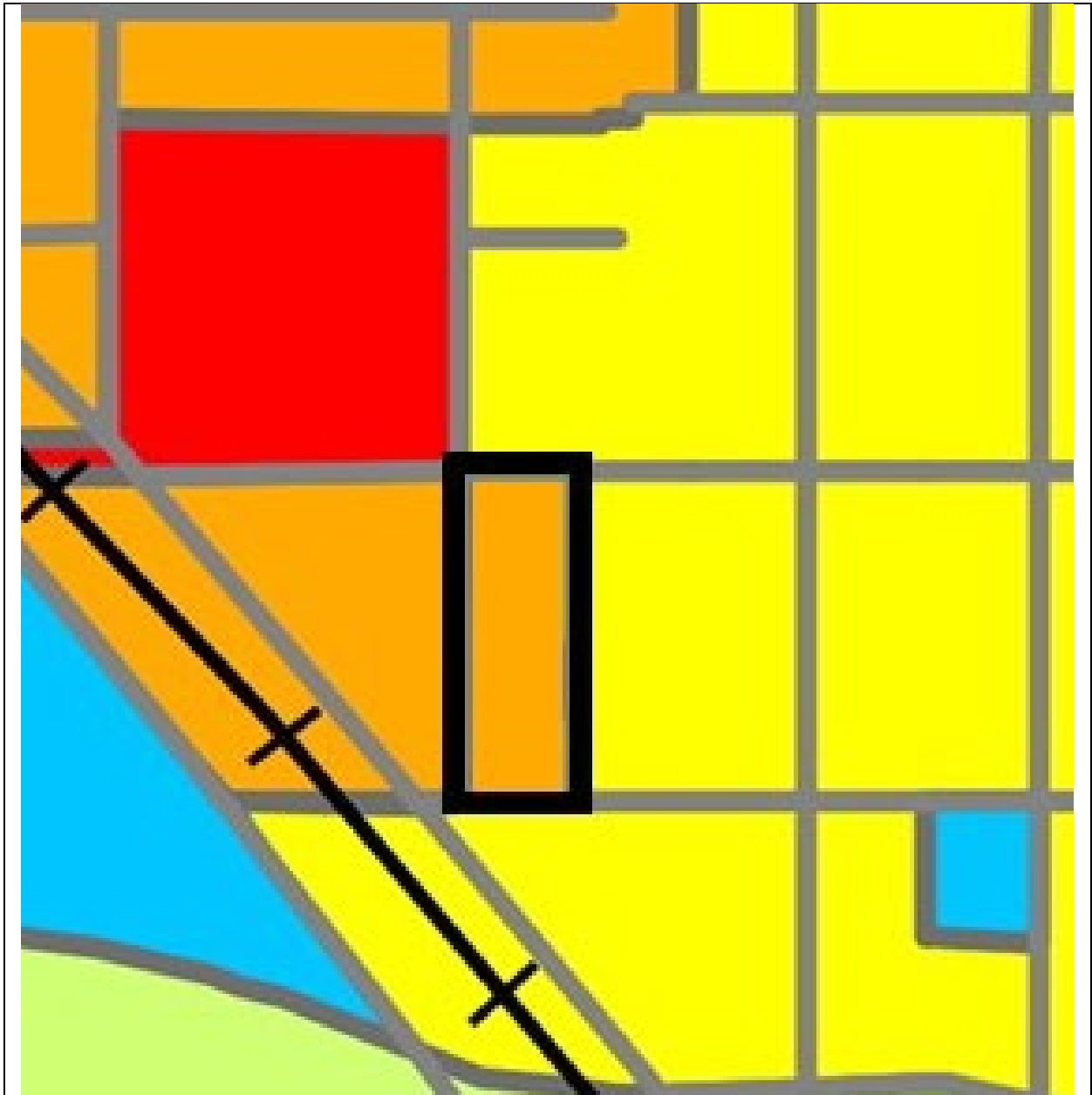
WHEREAS, the City Council has completed its review of the staff report and documents submitted for the proposed project, evaluated the information and considered testimony received as a part of the public hearing process.

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. 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 this project may have a significant direct, indirect or cumulative effect on the environment, and that a Negative Declaration is appropriate for this project. The City Council further finds the Initial Study and Negative Declaration were timely and properly published and noticed as required by CEQA, and no comments were received by the City within the 21-day comment period. The Council hereby adopts the Initial Study/Negative Declaration.
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 approves the amendment of the City of Madera General Plan Land Use Map as specified in attached Exhibit "A" which is 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.
5. This resolution is effective upon adoption.

* * * * *

EXHIBIT 'A'



Attachment 8: Initial Study/Negative Declaration (IS/ND) for GPA 2021-01

Torres General Plan Amendment (GPA 2021-01, ENV 2021-64)

Initial Study / Negative Declaration

February 2022

Prepared by:



Planning Department
205 W. 4th Street
Madera, CA 93637

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Chapter 1 Introduction

The City of Madera has prepared this Initial Study/ Negative Declaration (IS/ND) on behalf of Alfredo Martinez (applicant) and Mario Nava (owner) to address the environmental effects of the Torres General Plan Amendment (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq. The City of Madera is the CEQA lead agency for this proposed Project.

The site and the proposed Project are described in detail in [Chapter 2 Project Description](#).

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*)-- also known as the CEQA Guidelines-- Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A Negative Declaration (ND) may be prepared instead if the lead agency finds that there is *no substantial* evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

- a. *The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or*
- b. *The IS identified potentially significant effects, but:*
 1. *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and*
 2. *There is no substantial evidence, in light of the whole record before the agency, that the proposed Project as revised may have a significant effect on the environment.*

1.2 Document Format

This IS/ND contains five chapters plus appendices. Chapter 1 [Introduction](#), provides an overview of the proposed Project and the CEQA process. Chapter 2 [Project Description](#), provides a detailed description of proposed Project components. [Chapter 3 Determination](#) identifies the environmental factors potentially affected based on the analyses contained in this IS and includes the Lead Agency's determination based upon those analyses. [Error! Reference source not found. Impact Analysis](#) presents the CEQA checklist and environmental analyses for all impact areas and the mandatory findings of significance. A brief discussion of the reasons why the Project impact is anticipated to be less than significant or why no impacts are expected is included.

Chapter 2 Project Description

2.1 Project Background

2.1.1 Project Title

Torres General Plan Amendment (GPA 2021-01, ENV 2021-64)

2.1.2 Lead Agency Name and Address

City of Madera Planning Department
205 W. 4th Street
Madera, CA 93637

2.1.3 Contact Person and Phone Number

Lead Agency Contact

Gary Conte, AICP, Planning Manager, (559) 661-5430, gconte@madera.gov

Applicant Information

Alfredo Martinez, 14160 West C Street, Kerman, CA 93630

2.1.4 Study Prepared By

City of Madera Planning Department
205 W. 4th Street
Madera, CA 93637

2.1.5 Project Location

The Project is located on the west side of Torres Way in the City of Madera, Madera County, California (Assessor Parcel Numbers [APN] 003-031-008, 009, 013, 014, 015, 016, 017, 018). Regional access to the Project site is provided by State Route (SR) 99 and Highway 145 which are located within 0.5 miles of the site. Local access to the Project site is provided by West Lincoln Avenue and West South Street onto Torres Way. **Figure 2-1** depicts the regional and local context of the project site. **Figure 2-2** is an aerial view of the Project site and its vicinity.

2.1.6 Latitude and Longitude

The centroid of the Project area is 36° 58' 15.0" N, 120° 04' 04.8" W.

2.1.7 General Plan Designation

The Project site is planned LD (Low Density Residential) (see **Figure 2-4**).

2.1.8 Zoning

The Project site is zoned R3 (one unit per 1,800 square feet) (see [Figure 2-3](#)).

2.1.9 Description of Project

Project Description

The proposal (GPA 2021-01) is for the amendment of the General Plan land use designation from the current LD (Low Density Residential) to HD (High Density Residential). The existing zoning of R3 (One unit per 1,800 square feet [sqft]) for the Project site is consistent with the proposed General Plan land use designation of HD (High Density Residential).

The requested change in the land use designation from Low Density Residential to High Density Residential would allow for the potential to accommodate higher density development on-site beyond what is currently planned in the General Plan. However, the existing R3 zoning already allows for development on-site at a density consistent with the proposed HD land use designation. Further, the applicant has not submitted any plans to develop the Project site at this time. Therefore, the analysis contained in this IS/ND is limited in its review to the GPA, with reference to future development where relevant.

2.1.10 Site and Surrounding Land Uses and Setting

Project Setting

The Project site comprises eight developed and undeveloped lots totaling 1.18 acres (51,375 sf). There are a total of seven principle structures, occupied as residential dwellings. Two of the eight lots remain vacant, are void of vegetation, and are regularly disced for vegetation management.

Surrounding Land Uses

Residential uses interspersed with vacant lots exist to the north, east, and south with an at-grade parking lot to the west associated with the Madera 2 Drive-In movie theater. The existing residential uses are a mix of single-family and duplex units. In the wider vicinity, the Madera 2 Drive-In is located directly to the northwest and commercial uses along North D St are approximately 0.3 miles from the site, representing a seven-minute walk.

Table 2-1 Existing Uses, General Plan Designations, and Zone Districts of Surrounding Properties

Direction from Project Site	Existing Use	General Plan Designation	Zone District
North	Single family residential	Low Density Residential	R3 (<i>One unit per 1,800 sqft</i>)
East	Single family residential; duplex; vacant lots	Low Density Residential	R1 (<i>One unit per 6,000 sqft</i>)
South	Vacant lot; duplex	Low Density Residential	C1 (<i>Light Commercial</i>)
West	Parking lot associated with drive in movie theater	High Density Residential	R3 (<i>One unit per 1,800 sqft</i>)

2.1.11 Other Public Agencies Whose Approval May Be Required

Other agencies, including but not necessarily limited to the following, may have authority to issue permits prior to Project implementation:

- San Joaquin Valley Air Pollution Control District (SJVAPCD).

2.1.12 Consultation with California Native American Tribes

Pursuant to Public Resource Code section 21080.3.1 California Native American Tribes must be contacted regarding affiliations and notified to confirm if consultation is required as part of the project (Assembly Bill [AB] 52). Notification is required in writing for any California Native American Tribe that has traditionally and culturally affiliated with the geographic area where the project is located and the Tribe has previously requested notification about projects in that area. A plan for consultation may be requested that includes, for example, the determination of significance of impact to tribal cultural resources, procedures regarding confidentiality, etc. The project is also subject to Government Code Section 65352.3 (Senate [SB] 18) due to the GPA. Tribes have 30 and 90 days respectively from receipt of notification to request formal consultation.

The City provided formal notification to the Big Sandy Rancheria of Western Mono Indians on October 1, 2021 and no response was received within the 30 and 90 day periods for formal consultation under AB 52 and SB 18.

Figure 2-1: Regional Location

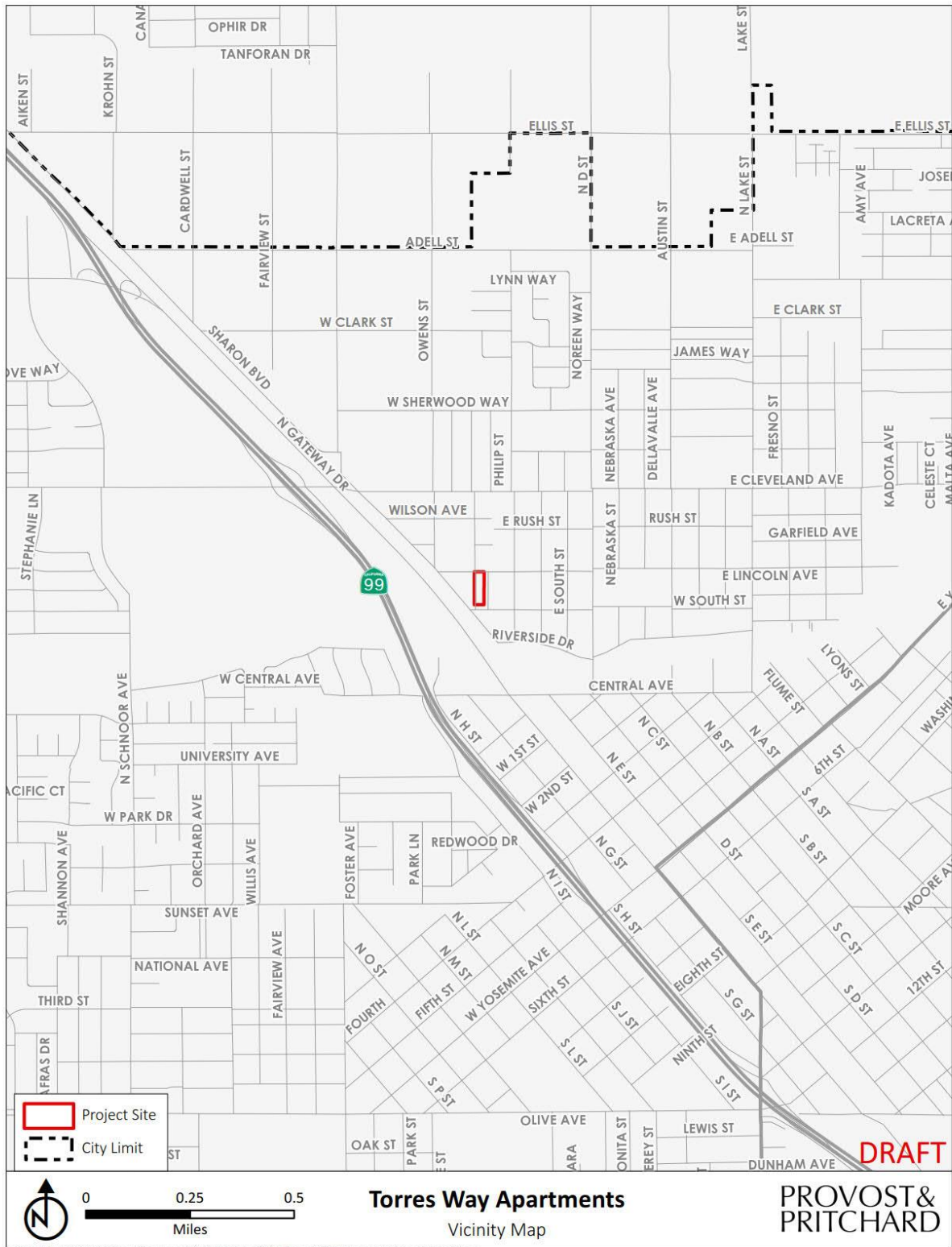


Figure 2-2: Aerial



Figure 2-3: Zone District Map

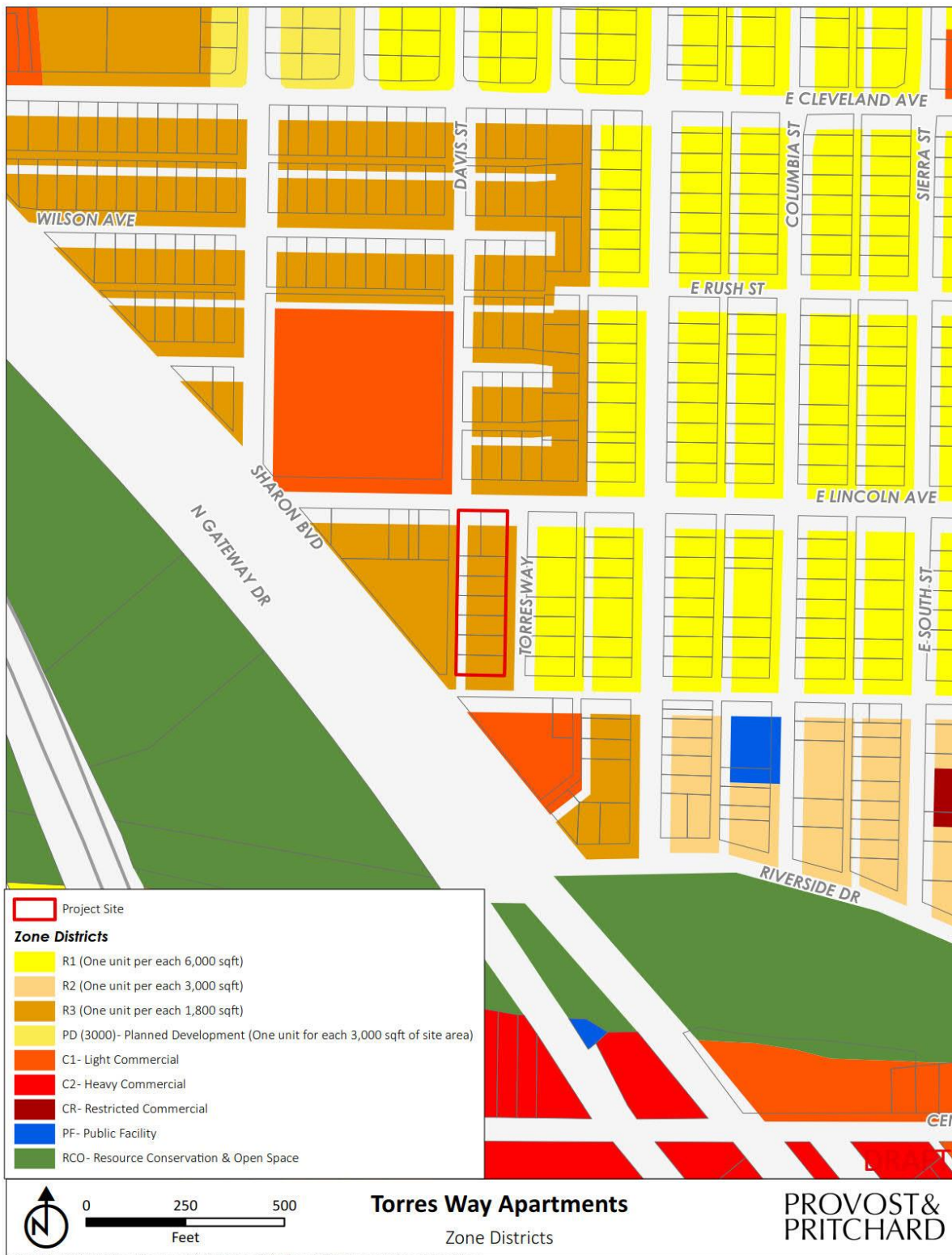
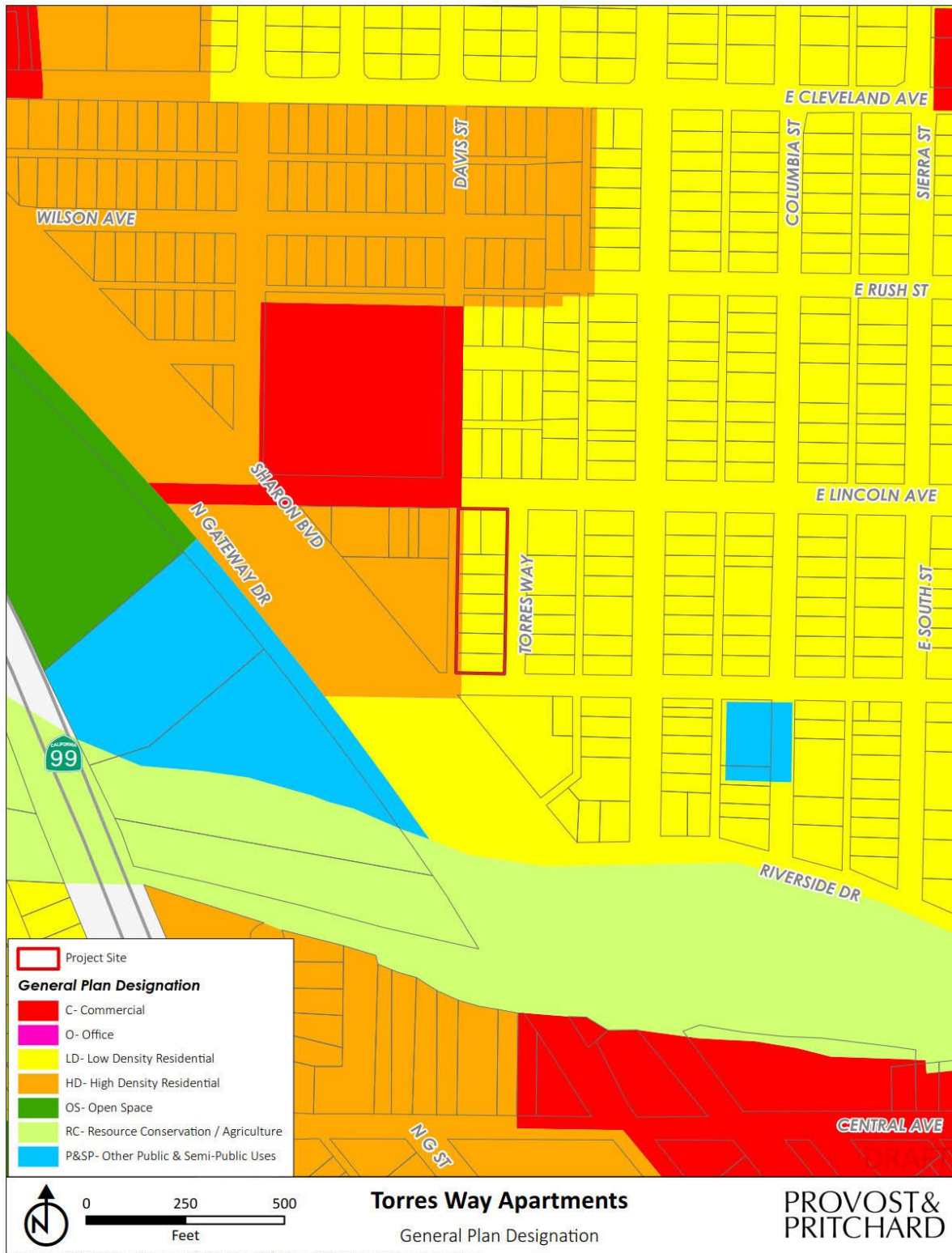


Figure 2-4: General Plan Land Use Designation Map



Chapter 3 Determination

3.1 Environmental Factors Potentially Affected

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are checked below would have potentially significant impacts resulting from the project. Mitigation Measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

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

The analyses of environmental impacts in **Chapter 4 Impact Analysis** result in an impact statement, which shall have the following meanings.

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3.2 Determination

On the basis of this initial evaluation (to be completed by the Lead Agency):

- 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

Feb. 9, 2022

Date

Arnoldo Rodriguez, City Manager

Printed name and position

Chapter 4 Impact Analysis

4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.1.1 Impact Assessment

a) Would the project have a substantial adverse effect on a scenic vista?

No impact. 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) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No impact. The project will not damage scenic resources, including, but not limited to, rock outcroppings and historic buildings, or state scenic highway.

c) In non-urbanized areas, would the project 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?

Less than significant impact. The project would not degrade the existing visual character or quality of the site and surroundings under examination. The proposed project would not alter the landforms, view sheds, and overall character of the area.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than significant impact. Existing light sources within the project vicinity affect day and nighttime views to an extent that is equal to or greater than light sources from the project. There will be new sources of light and glare and other aesthetic impacts associated with urban development should construction occur following the GPA, but the overall impact will be minimal.

4.2 Agriculture and Forestry Resources

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.2.1 Impact Assessment

- a) **Would the project 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?**

No impact. The project site is not used for agricultural production and is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The surrounding area is characterized by residential and commercial uses. Furthermore, the Farmland Mapping and Monitoring Program categorizes the project site as Urban and Built-Up land. Examples of Urban and Built-Up Land include residential, industrial, commercial, institutional facilities, and other urban uses.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No impact. The project site is located within the R3 Zoning District. With implementation of the proposed project, the site zoning would remain. This zoning district does not allow for intensive agricultural uses, and the site is not protected, eligible, or in conflict with a Williamson Act contract.

c) Would the project 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))?

No impact. As described above the project site is zoned R3 and would not be rezoned. The project site is currently a mix of developed and undeveloped lots. Neither the project site nor the surrounding area is zoned for forest land, timberland, or timberland production.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No impact. The project site is located in an area of the city that is characterized by an urban setting. No forest or timberland exists on the project site or in the surrounding area. Therefore, the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use.

e) Would the project 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?

No impact. The project site is currently made up of developed and undeveloped lots with the remaining vacant lots being regularly disced to manage vegetation growth. The proposed project would not result in a conversion of farmland on or off the project site to non-agricultural uses because there are no agricultural uses on or in the immediate vicinity of the project site.

4.3 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:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.3.1 Impact Assessment

Thresholds of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the San Joaquin Valley Air Pollution Control District (SJVAPCD) has published the *Guide for Assessing and Mitigating Air Quality Impacts*. This guidance document includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended thresholds would be considered to have a potentially significant impact to human health and welfare. The thresholds of significance are summarized, as follows:

Short-Term Emissions of Particulate Matter (PM₁₀): Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NO_x): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_x that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM₁₀): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM₁₀ that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NOX): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NOX that exceeds 10 TPY.

Conflict with or Obstruct Implementation of Applicable Air Quality Plan: Due to the region's nonattainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans. In addition, if the project would result in a change in land use and corresponding increases in vehicle miles traveled, the project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

Local Mobile-Source CO Concentrations: Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e. 9.0 ppm for 8 hours or 20 ppm for 1 hour).

Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than 1.

Odor impacts associated with the proposed Project would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

- a) **Would the project conflict with or obstruct implementation of the applicable air quality plan?**
- b) **Would the project 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?**

Less than significant impact. The scale of development allowed by the GPA for a Project site of this size would not create substantial air emissions or result in a cumulatively considerable net increase of any non-attainment criteria pollutant. Construction impacts from any future development is deemed to be a short-term effect on air quality and primarily mitigated through dust control strategies, such as watering. Emissions from construction internal combustion engines produce small amount of air quality and dust issues. The project will not violate or result in a considerable net increase of any air quality standard or substantially contribute to an existing or projected air quality violation. The project will not expose sensitive receptors to any significant amount of pollutants, or create objectionable odors. The GPA will result in additional residential development that would not trigger specific air quality management measures or generation of criteria air pollutants that would exceed thresholds of significance.

- c) **Would the project expose sensitive receptors to substantial pollutant concentrations?**

Less than significant impact. Sensitive receptors are defined as individuals that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, day care centers, nursing homes, hospitals, and residential dwelling units. Following the GPA, construction contractors would be required to follow air quality management guidelines related to emissions and levels would be below the significance thresholds. Future uses (i.e., residential) would not fall within types of uses that would generate sources of substantial emissions that would expose sensitive receptors to substantial pollutant concentrations.

- d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than significant impact. The proposed project would not result in odors that would be of a level or duration to be noticeable for extended periods beyond the project site. The resulting emissions would not adversely affect surroundings.

4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.4.1 Impact Assessment

- a) Would the project 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?

No impact. The project site is located in a built-out urban area and does not contain habitat that would support sensitive species. No known candidate, sensitive, or special-status animal species are known to be on the site. The United States Fish and Wildlife Service (USFWS) Threatened & Endangered Species Active Critical Habitat Report (Environmental Conservation Online System [ECOS]) does not identify any locations of critical habitat within approximately two miles of the project site. 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. Shrubs and trees are present on immediately adjacent single family residential lots. There is little likelihood for special status animal or plant species to be located on the Project site. The proposed GPA would allow an intensification of the residential development at the site and would not result in adverse effects to special-status wildlife species.

b) Would the project 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?

No impact. The project site is a mix of developed and undeveloped lots in an urban setting. USFWS Threatened & Endangered Species Active Critical Habitat Report (ECOS) does not identify any locations of critical habitat within approximately two miles. The Project would therefore not result in any direct or indirect impacts to riparian corridor, stream channel, or potentially viable habitat in which sensitive species could be found.

c) Would the project 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?

No impact. Based on a review of current and historical aerial images, the site does not contain any natural hydraulic features or State and/or federally protected wetlands. No wetlands have been reported or observed on site.

d) Would the project 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?

No impact. No portion of the project site or its immediate surroundings contains an open body of water that serves as natural habitat for fish. The site does not support established native resident or migratory wildlife or corridors that exist within or adjacent to the project site. The project site does not contain any native resident or migratory fish, wildlife species, or wildlife corridors. No habitat exists on the site for nesting birds protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Wildlife Code Section 3503.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No impact. Trees or vegetation within the Project site are those associated with the residential dwellings and areas for potential development are void of trees. The City of Madera does not have a tree preservation ordinance. An encroachment permit is required from the City for the removal or replacement of street trees. The GPA would not conflict with any policies to protect street trees.

- f) **Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No impact. The proposed project would not conflict with the provisions of an adopted habitat conservation plan, natural community plan or other approved local, regional, or State habitat conservation plan.

4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.5.1 Impact Assessment

- a) **Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?**

No impact. To be eligible for listing in the California Register of Historic Resources, a cultural resource generally must be 50 years or older. Under CEQA, historical resources can include precontact (i.e. Native American) archaeological deposits, historic period archaeological deposits, historic buildings, and historic districts. Agencies considering projects subject to discretionary action must consider the potential impacts on cultural resources that may occur. The project would intensify the residential development on currently undeveloped sites with no listing, identification or historic resources defined in the general plan or by Section 15064.5 of CEQA guidelines. No existing structure meets the criteria for historical resource.

- b) **Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

Less than significant impact. While no known archaeological deposits are present on the Project site, it is possible that unknown buried archaeological materials could be found during ground disturbing activities, including unrecorded Native American prehistoric archaeological materials. If such resources were discovered during future construction activities, the impact to archeological resources could be significant. General Plan Action Item HC-9.2 requires a condition of approval on all discretionary projects that the Planning Department be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary

of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.

c) **Would the project disturb any human remains, including those interred outside of dedicated cemeteries?**

Less than significant impact. There are no known formal cemeteries or known interments to have occurred on the Project site. Though unlikely, there is the possibility human remains may be present beneath the Project site. Should human remains be discovered during ground disturbing construction activities, such discovery could be considered significant. Any human remain encountered during ground disturbing activities are required to be treated in accordance with California Code of Regulations Section 15064.5(e), Public Resources Code Section 5097.98, and California Health and Safety Code Section 7050.5, which state the mandated procedures of conduct following discovery of human remains. Additionally, General Plan Action Item HC-9.2 requires a condition of approval on all discretionary projects that all construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. If human remains are determined to be of possible Native American descent, the Coroner shall notify the Native American Heritage Commission who will appoint a "Most Likely Descendent" and the local Native American Tribe representative to identify and preserve Native American remains, burial, and cultural artifacts.

4.6 Energy

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.6.1 Impact Assessment

- a) **Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less than significant impact. The GPA would increase the intensity of residential development allowed at the site. Future development would be constructed using energy efficient building materials and construction practices, in accordance with California Green Building Standards Code (CALGreen), California Public Utilities Commission’s (CPUC) Long Term Energy Efficiency Strategic Plan, and City standards. Construction activities are estimated to consume diesel fuel, and gasoline which would be regulated by California Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(2), Idling - limits times of construction vehicles to no more than 5 minutes. The intention of this regulation is to avoid unnecessary and wasteful consumption of fuel because of unproductive idling of construction equipment. The GPA is not expected to substantially increase short term or long-term construction or operational energy usage.

- b) **Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Less than significant impact. The California Energy Commission (CEC) was required by Senate Bill 1389, passed in 2002, to develop integrated energy plans for each two year period. The California Energy Policy Report includes approaches to electricity, natural gas, and transportation fuels. The plan identifies a number of programs related to urban design to reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access. The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.7.1 Impact Assessment

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a-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.

Less than significant impact. Surface rupture occurs when the ground surface is broken due to fault movement during an earthquake. The location of surface rupture generally can be assumed to be along an active or potentially active major fault trace. The State of California enacted the Alquist-priolo Fault Zoning Act in 1972, requiring the State Geologist to delineate Earthquake Fault Zones (EFZs) along known active faults that have high potential for fault rupture. The project site is not located within a designated EFZ. No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The GPA would not expose people or structures to potential substantial adverse effects.

a-ii) Strong seismic ground shaking?

Less than significant impact. The project site and region is not subject to strong seismic ground shaking. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. The major active faults and fault zones occur at some distance to the west, east and south of the project site. Mapping is available from the United States Geological Service (USGS), that shows faults are not recorded within close proximity to the site. The proposed GPA increases the intensity of residential use at the site but would not create adverse effects based on current evidence, associated with ground shaking.

a-iii) Seismic-related ground failure, including liquefaction?

Less than significant impact. Liquefaction is the transformation of saturated, loose, fine-grained sediment to a fluid-like state because of earthquake shaking or other rapid loading. Soils most susceptible to liquefaction are loose to medium dense, saturated sands, silty sands, sandy silts, non-plastic silts and gravels with poor drainage, or those capped by or containing seams of impermeable sediment. The California Geological Survey (CGS) has mapped seismic Hazard Zones that delineate areas susceptible to liquefaction and/or landslides that require proposed new developments in these areas to conduct additional investigation to determine the extent and magnitude of potential ground failure. According to mapping by CGS, the project site is not within a liquefaction zone.

a-iv) Landslides?

Less than significant impact. According to CGS the project site is not located within a Seismic Hazard Zone for landslide. The project site and surrounding vicinity is generally level. The project site is located within a developed urban area and is not located within a rainfall-induced landslide zone.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less than significant impact. The level nature of the site and extent of development would not result in substantial soil erosion or loss of topsoil. Excavation, trenching, grading, and construction activities would impact and expose soils but to a limited degree.

- c) **Would the project 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?**

Less than significant impact. Site soils would not be subject to lateral spreading, subsidence, lateral spreading, liquefaction or landslide. During development, compliance with CBC and City of Madera Building Code would ensure that risks to people and structures would be reduced as far as possible. Therefore future proposed projects would not result in impacts associated with unstable geologic conditions.

- d) **Would the project 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?**

Less than significant impact. Expansion and contraction of soil volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes markedly. Expansive soils are common throughout California and can cause damage to foundations and slabs unless properly treated during construction. The Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial direct or indirect risks to life or property. Any future development within the site would be required to comply with the most current CBC, and City of Madera Building Code. Adherence to these requirements would ensure that geotechnical design of the future development would reduce potential impacts related to expansive soils.

- e) **Would the project 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?**

No impact. The project site is located in an urban area served by wastewater collection infrastructure. Implementation of the proposed GPA and future development of the project site would not result in the need for new septic systems within areas known to have unstable soils.

- f) **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?**

No impact. The project site is undisturbed land surrounding by urban development that is not known to contain paleontological or geological resources. The proposed GPA would allow an intensification of residential development and does not include ground disturbance. Future ground disturbance through grading and excavation would be evaluated on an individual basis as part of the City's permit process.

4.8 Greenhouse Gas Emissions

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

4.8.1 Impact Assessment

Thresholds of Significance

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.

In 2006, the California State Legislature adopted Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, which aims to reduce GHG emissions in California. GHGs, as defined by AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the CARB, the State agency that regulates statewide air quality, to adopt rules and regulations that would achieve GHG emissions equivalent to 1990 statewide levels by 2020. The Air District adopted a 29 percent less than Business-As-Usual (BAU) threshold to meet the 2020 standard. A threshold of 1,100 metrics tons of carbon dioxide emissions (MTCO_{2e}) per year has also been used to demonstrate compliance with the targets set under AB 32.¹

In 2016, Senate Bill (SB) 32 was adopted, which established a goal to achieve GHG emissions equivalent to 40 percent below 1990 statewide levels by 2030. No project-level reduction standard has been adopted to meet the 2030 standard established by SB 32. However, a target threshold of 660 MTCO_{2e} per year has been assumed for purposes of this analysis as an interim threshold of significance for 2030 in-lieu of an adopted project-level standard. The 660 MTCO_{2e} represents a 40 percent reduction of the 1,100 MTCO_{2e} per year threshold.

The Conservation Element of the 2009 City of Madera General Plan includes several goals, policies, and programs in the Air Quality, GHG Emissions, and Climate Change sections that address and promote practices that meet or exceed all State and federal standards and meet or exceed all current and future

¹ As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf

State-mandated targets for reducing GHG emissions. The City also requires applicants for all public and private development to integrate appropriate methods that reduce GHG emissions consistent with the Energy and Green Building sections of the Conservation Element, General Plan Policies CON-40 through 46

a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less than significant impact. The GPA would not result in any physical changes to the existing site. Future development on the project site would generate GHG emissions and contribute to global warming. GHG emissions from construction activities are temporary, short-term emissions and therefore would not significantly contribute to long-term cumulative GHG emissions impacts of the Project. Long-term GHG emissions consist of vehicular emissions, the consumption of energy produced by carbon-based sources, and the decomposition of solid waste generated from the Project. However, the scale of future development would not exceed the established threshold of significance.

b) **Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Less than significant impact. The GPA would not result in any physical changes to the existing site. Future development on the project site would be required to comply with all General Plan policies and would be required to be consistent Title 24 of the CBC. Future development would also be required to follow all standards and policies for reducing GHG as determined by the SJVAPCD. The Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.9.1 Impact Assessment

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No impact. The proposed GPA would allow an intensification of residential uses at the project site and would not create hazards or exposure to hazardous conditions. Future development would be consistent with existing zoning standards. No hazards would be created to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b) Would the project 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?

Less than significant impact. The public can be exposed to hazardous materials in two main ways: i) exposing workers and/or the public to potentially contaminated soil and groundwater during construction and/or operation of the project; or ii) exposure to the public and/or workers during demolition. For future development, no structures exist for demolition on the site and there are no records of contaminated soil or groundwater at the site or in the vicinity.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less than significant impact. The nearest school to the development site is George Washington Elementary School within 1,000 feet of the project site. The GPA would not create hazards at the site. Future development at the site would not create significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. As noted in Section 4.9.1.b, construction activities would not create a hazard through reasonably foreseeable upset and accident conditions.

d) Would the project 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?

Less than significant impact. Government Code Section 65962.5 states that the California Department of Toxic Substances shall compile and maintain annually a list of hazardous waste facilities subject to corrective action as part of the Health and Safety Code. This list commonly referred to as the Cortese List. The project site is not located on the Regional Water Quality Control Board's leaking Underground Tank Cleanup Site (LUST) or any other Cleanup Program Sites (formerly known as spills, leaks, investigations, and cleanups or SLIC). These two components comprise the State Cortese List of known hazardous materials sites compiled pursuant to Government Code Section 65962.5. No records exist on the project site or in the immediate vicinity therefore, no significant hazard to the public or environment would be associated with this site.

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?

No impact. The project site is located approximately three miles south of Madera Municipal Airport. The project area is not located within the Airport Safety Zones or Airport Influence Area. The proposed GPA would not result in new construction within the vicinity of an airport and would not result in a safety hazard for people residing or working in the area, or for people assembling at the project site due to the proximity of an airport.

f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less than significant impact. The project is located within a developed urban area as set out by California Department of Fire and Forestry Protection (CalFire) and is not located in a Very High Fire Hazard Severity Zone. Therefore, the proposed project would not expose people or structures to a significant loss, injury, or death involving wildland fires.

g) **Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

No Impact. According to CalFire and their Fire Resource Assessment Program (FRAP) Fire Hazard Severity Zone (FHSZ) viewer, the Project site is not within an area of moderate, high, or very high fire risk for the Local Responsibility Area.

4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.10.1 Impact Assessment

- a) **Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Less than significant impact. The proposed GPA would increase the residential intensity at the site with no physical improvements to the site until submission of separate permits for construction when site conditions will be evaluated in line with City permit requirements. Due to the location, size, and approved uses on the site, impacts related to water quality standards, waste discharge requirements, and surface water quality would not be impacted.

- b) **Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Less than significant impact. The proposal would not directly result in the depletion of groundwater supplies or interfere with groundwater recharge. Future development would create additional impervious areas except where open space and setback requirements would likely retain pervious surfaces. The GPA would not interfere with groundwater recharge to the extent that impacts would occur.

- c) **Would the project 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;

Less Than Significant Impact. The Project site does not contain any waterways, and therefore, implementation of the Project would not alter the course of a stream or river. Soil exposure during construction would be controlled by CBC and Building Code requirements.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less Than Significant Impact. Improvements of the Project site would increase the surface runoff due to an increase in impervious surfaces but would be regulated under CBC and Building Code requirements. Compliance with City standards for storm runoff would also be required of any future development.

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less Than Significant Impact. Future development would alter the existing drainage pattern of the Project site. However, storm runoff will be required to be managed in accordance with City standards and future development would be required to comply with the City's Master Plan, ordinances, and standard practices for stormwater drainage.

iv) impede or redirect flood flows?

Less Than Significant Impact. Future development will be required to construct storm drain conveyance improvements to City of Madera standard, which takes into consideration the many factors of designing a

single family home and duplexes, including capacity to carry runoff from downspouts to designated landscape areas and will be regulated by CBC and City of Madera Permit requirements.

d) **Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundations?**

No impact. The project site is not located within a 100-year flood hazard zone as mapped by FEMA and is not located within a mapped dam failure inundation area. There are no levees protecting the site from flooding and as a result, no risk of failure. The project site and surrounding areas are generally level and would not be subject to mudflows. The project site is not located within a mapped tsunami area or affected by seismically induced seiche waves.

e) **Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

No impact. The proposed GPA would increase the residential intensity at the site and would not result in conflict or obstruction to the implementation of water quality control plan or sustainable groundwater management plan. Construction and operation of future development would be subject to State and regional requirements related to stormwater runoff (C.3 program).

4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.11.1 Impact Assessment

a) Would the project physically divide an established community?

No impact. The physical division of an established community typically refers to the construction of a physical feature, such as an interstate or railroad, or removal of means of access that would impair mobility within an existing community. The project site is within an established subdivision in a developed area surrounded by residential and commercial development. The GPA would not result in a change to the permitted uses and would not result in the construction of any new infrastructure that would divide an established community and would not remove means of access.

b) Would the project cause a significant environmental conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than significant impact. The Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Project would change the land use designation from Low Density Residential to High Density Residential, which would be consistent with the proposed R3 zone district. The Project is required to comply with all applicable General Plan policies and regulations that avoid or mitigate environmental effects.

4.12 Mineral Resources

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

4.12.1 Impact Assessment

a) **Would the project 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?**

No impact. Neither the State Geologist nor the California Department of Mines and Geology (CDMG) have classified any surrounding areas as containing mineral deposits that are either of Statewide significance or significance of which requires further evaluation. The project site has been classified by the CDMG as being in an area where information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. The project site is not designated or zoned for the extraction of mineral deposits.

b) **Would the project 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?**

No impact. The project site is currently undeveloped and lies within an urban area. No mineral extraction activities occur on the project site and it is not located within an area known to contain locally important mineral resources.

4.13 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.13.1 Impact Assessment

- a) **Would the project result in 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?**

Less than significant impact. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Noise measurement scales typically accepted for use include decibel (dB) - a unit of measurement that indicates the relative intensity of a sound. Sound levels in the dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, so 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through an 'A'-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements that better represent human sensitivity to sound at night. As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6dB reduction in noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

Short-term construction impacts would not result from the GPA and therefore would have less than significant impacts. Site development is related to the noise profile of the surrounding environment,

therefore the distance of the project site from the Interstate 99 impacts the noise contours at the site. At Gateway drive approximately 500 feet to the west of the project site, noise recordings have been recorded in the existing General Plan with results ranging from 55 dB to 64 dB along a half mile distance north and south of the project site. It is not anticipate uses that would result from the GPA would add to the surrounding noise profile to the extent that they would be perceptible as an increase in the noise at surrounding land uses.

b) Would the project result in generation of excessive ground borne vibration or ground borne noise levels?

Less than significant impact. Vibration refers to ground borne noise and perceptible motion. Intensification of the residential use at the site would not result in perceptible increases to surrounding properties from vibration or ground borne noise.

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?

No impact. The proposed project is not located within two miles of a private airstrip, public airport, or a public use airport and is not within an airport land use plan.

4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.14.1 Impact Assessment

- a) **Would the project 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)?**

Less than significant impact. With implementation of the proposed GPA the proposed project would increase residential accommodation at the site over the existing allowances for low density residential land use. However, the scale of anticipated development for a project site of the size is not anticipated to add a substantial amount of unplanned population to the area.

- b) **Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No impact. The project site is a mix of developed and undeveloped lots with residential units occupying the developed portions. The GPA would not result in a physical change to the project site and future development is not proposed for the existing developed portions of the site; therefore, displacement of substantial numbers of existing people or housing is not anticipated.

4.15 Public Services

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.15.1 Impact Assessment

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, including fire protection, police protection, schools, parks, and other public facilities (e.g., landfills):

Less than significant impact. Fire suppression, emergency medical and rescue services, and other life safety services are provided to the project site by the Madera County Fire Department (MCFD). There are four fire stations in the City of Madera, with the closest to the project site being Fire Station No. 56 at 317 N Lake St, approximately one mile to the east of the project site. The proposed GPA increasing the intensity of residential development would not substantially increase the demand for fire or police services. Existing service providers would continue to serve the project site with existing staff and facilities. The minimal increase in residential units would not generate new students, park users, or users of other governmental facilities such as libraries, community centers or public health care facilities to the extent there would be an impact.

4.16 Recreation

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.16.1 Impact Assessment

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Less than significant impact. The proposed GPA would not result in physical changes to the project site. However, future development will result in an increased population but is not anticipated to result in a significant increase that would result in substantial physical deterioration of recreational facilities.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

No impact. The project does not include or require the construction or expansion of new or existing public recreational facilities.

4.17 Transportation

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)??	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.17.1 Impact Assessment

a) Would the project conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than significant impact. The City of Madera general plan circulation and scenic highways element establish vehicle level of service targets for intersections and roadway segments within the City to measure how development affects level of service. No building is currently proposed so no immediate change in trip generation will occur, however trip rates for the likely development are not anticipated to increase to the extent that the level of service on surrounding roadways and at surrounding intersections would be impacted.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?

Less than significant impact. Effective December 28, 2018, the CEQA Guidelines were updated and require the evaluation of vehicle miles traveled (VMT) as the criteria for analyzing transportation impacts for land use projects. As noted in CEQA Guidelines Section 15064.3(c), the provisions shall apply retrospectively as described in CEQA Guidelines Section 15007. A lead agency could have elected to be governed by the provisions of CEQA Guidelines Section 15064.3 immediately; however, beginning on July 1, 2020, the provisions of this section was stated to apply Statewide. The City of Madera, as lead agency, has not yet adopted specific thresholds related to VMT metrics. However simultaneous with clearance of the revised State CEQA Guidelines, the Governor’s Office of Planning and Research (OPR) released the Technical Advisory for Evaluating Transportation Impacts under CEQA (OPR, December 2018). This State document provides sufficient guidance to permit the evaluation of project transportation impacts for the purposes of compliance with CEQA.

The Technical Advisory suggests that development measured against city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the population or number of units specified in the Sustainable Communities Strategy (SCS) for the city.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No impact. Vehicles accessing the project site would not be substantially different from or incompatible with vehicles accessing adjacent parcels. The project would not alter access or geometric design features of the street.

d) Would the project result in inadequate emergency access?

Less than significant impact. The proposed project would not result in the alteration of any access points. Future development would be subject to required City permits and review to ensure site plans including emergency access was appropriate.

4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.18.1 Impact Assessment

- a) **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:**
- i) *Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or*

No impact. The Project would not 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 the Project is not listed or eligible for listing in the California Register of Historical Resources (CRHR), or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). No California Native American tribe formally requested consultation notifications with the City during the required 30 and 90 day notification periods, consistent with the requirements of PRC 21080.3.1 and SB 18. As such, tribal consultation for the proposed project was not required for this project.

- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Less than significant impact. The Project site 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. As described above, no known tribal cultural resources have been identified (as defined in Section 21074) within the Project area, and no substantial information has been provided to the City to indicate otherwise. Therefore, the Project would have a less than significant impact on the significance of a tribal cultural resource.

4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.19.1 Impact Assessment

- a) **Would the project 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 relocation of which could cause significant environmental effects?**

Less than significant impact. The project site is located in an area currently served by existing utilities. The proposed GPA would intensify allowed residential densities at the site. The policy change would not require or result in the relocation or construction of new or expanded facilities because such uses are not likely to generate substantial increases in demand as compared to existing, allowable uses. Construction projects that would result in the development of new structures on the project site would be evaluated on an individual basis as part of the City's development review process and permit requirements. The relocation

or reconstruction of new or expanded water, recycled water, wastewater, stormwater drainage, electric power, gas, or telecommunications facilities would not be required.

- b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less than significant impact. The proposed GPA is not likely to generate a substantial increase in demand for water supplies during normal, dry and multiple dry years.

- c) Would the project 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?

Less than significant impact. The proposed GPA is not likely to generate a substantial increase in demand for wastewater treatment that would exceed capacity of the wastewater treatment plant.

- d) Would the project 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?

Less than significant impact. The proposed GPA is not likely to generate a substantial increase in demand for waste to enter landfill or exceed landfill capacity because the intensified uses are unlikely to generate substantial increases in solid waste as compared to the existing general plan designation.

- e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than significant impact. The proposed GPA is not likely to create new sources of solid waste and would not exceed the capacity of landfills that serve the proposed project.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 uncontrollable spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.20.1 Impact Assessment

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No impact. The project site is not located within a State Responsibility Area (SRA) for fire service, and is not within a very high fire hazard severity zone. In addition, as noted in Section 4.9.1.f, the proposed project would not impair the implementation of, or physically interfere with, an adopted emergency response plan.

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?

No impact. The project site is made up of developed and undeveloped lots, with the vacant parcels disced to managed vegetation. The project and site would not expose occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire.

- 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?

No impact. The project is not located within an SRA for fire service and is not within a very high fire hazard severity one. The project would not require the installation or maintenance of associated infrastructure.

- 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?

No impact. The project would not expose people or structures to significant risks due to post fire slope instability or drainage and runoff changes.

4.21 CEQA Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.21.1 Impact Assessment

- a) Does the project 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?

Less than significant impact. Amending the general plan land use designation would not adversely affect a protected wildlife species or threaten a listed sensitive species or habitat at the project site or in the surrounding area. Future development would be required to abide by the City permit process and based on this analysis, there would be less than a significant impact to the quality of the environment, habitat for fish or wildlife species nor would it impact those populations to unsustainable levels. Plant and animal communities would not be threatened or eliminated, the number or range of rare or endangered plants and animals would not be affected. Development would not eliminate examples of major periods of California History.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than significant impact. The GPA would increase the allowed density of residential development at the site but would not increase it to the degree that it would be significant in a cumulatively considerable way.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than significant impact. The GPA would increase the allowed density of residential development at the site but would not increase it to the degree that it would cause a substantial adverse impact on human beings, either directly or indirectly.

Attachment 9: Planning Commission Resolution 1906

RESOLUTION NO. 1906

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA
RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION ADOPTING
THE NEGATIVE DECLARATION FOR THE PROJECT (ENV 2021-64)
PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
AND AMENDING THE GENERAL PLAN LAND USE DESIGNATION AT THE
WEST SIDE OF TORRES WAY FROM LD (LOW DENSITY) TO HD (HIGH
DENSITY) GENERAL PLAN LAND USE DESIGNATION CONSISTENT WITH
THE EXISTING R-3 (HIGH DENSITY) ZONING DISTRICT (GPA 2021-01)**

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

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

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

WHEREAS, a proposal has been made requesting an amendment to the Madera General Plan amending the land use designation for approximately 1.18 acres of property located on the west side of Torres Way from LD (Low Density) land use designation to HD (High Density) land use designation, as shown in the attached Exhibit A; and

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

WHEREAS, the proposed General Plan amendment is compatible with the neighborhood and 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 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; and

WHEREAS, the Planning Commission now desires to recommend that the City Council adopt ENV 2021-64 and GPA 2021-01.

NOW THEREFORE, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and incorporated herein by reference.

2. CEQA and Recommendation of Approval of ENV 2021-64: The Planning Commission finds an environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). 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 Planning Commission finds there is no substantial evidence in the record that this project may have a significant direct, indirect or cumulative effects on the environment, and that a Negative Declaration is appropriate for this project. The Planning Commission further finds the Initial Study and Negative Declaration were timely and properly published and notices as required by CEQA. As such, the Planning Commission recommends that the City Council adopt a Negative Declaration for the project by approving ENV 2021-64.

3. General Plan Findings: The Planning Commission finds that GPA 2021-01 is consistent with the General Plan goals and policies. The Planning Commission further recommends that the City Council find that GPA 2021-01 is consistent with the General Plan goals and policies. The project does not affect the implementation of the General Plan with respect to surrounding properties. The proposed amendment essentially consists of a minor change of General Plan land use designation from low density residential to high density resident. This change will assist in the implementation of the goals, objectives, and policies of the General Plan regarding provision of housing and promote future residential growth. Ensuring viable development would also assist with the implementation of the Housing Element goals and policies in providing opportunity site for necessary housing, including policies and goals H-1.1; Policy H-1.2; Policy H-1.3; and Policy H-3.2. The proposed amendment would support the City's efforts to meet the Regional Housing Need Allocation (RHNA) as directed by the State of California Department of Housing and Community Development and as required by the City's Housing Element of the General Plan. All the planned uses and proposed modifications are consistent with the General Plan policies and objectives and as such the proposed amendment would continue to implement the General Plan policies. Approval of GPA 2021-01 is in the public interest.

4. Public Health, Safety, and Welfare: The Planning Commission finds that approval of GPA 2021-01 is in the best interest of the City, and is not detrimental to public health, safety, or welfare, and recommends that the City Council find the same.

5. Recommendation of Approval of GPA 2021-01: Given all of the findings can be made, the Planning Commission recommends the City Council adopt General Plan Amendment No. 2021-01, as set forth in Exhibit A, which amends the General Plan land use designation for the project site from Low Density to High Density.

6. Effective Date: This resolution is effective immediately.

* * * * *

Passed, approved and adopted by the Planning Commission of the City of Madera this 8th day of March 2022, by the following vote:

AYES: Commissioner's Robert Gran Jr., Ryan Cerioni, Rohi Zacharia, Ramon Lopez, Balwinder Singh and Bobby Sheikh

NOES: None

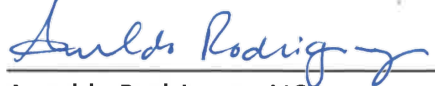
ABSTENTIONS: None

ABSENT: None



Robert Gran Jr.
Planning Commission Chairperson

Attest:



Arnoldo Rodriguez, AICP
City Manager

Exhibit A: General Plan Land Use Map - Proposed

PLANNING COMMISSION RESOLUTION NO. 1906
EXHIBIT 'A'

General Plan Land Use Map - Proposed

