

RESOURCE MANAGEMENT AGENCY PLANNING DEPARTMENT

2037 W. Cleveland Avenue
Madera, CA 93637
(559) 675-7821
FAX (559) 675-6573
TDD (559) 675-8970
mc_planning@madera-county.com

Norman L. Allinder, AICP
Director *NLA*

PLANNING COMMISSION DATE: January 8, 2013

AGENDA ITEM: #4

CUP	#2012-022	Conditional Use Permit to allow the conversion of an existing single family dwelling to a religious facility
APN	#045-081-013	Applicant/Owner: Nick Sahota/Gurcharan S. Rakkar
CEQA	ND #2012-28	Mitigated Negative Declaration

REQUEST:

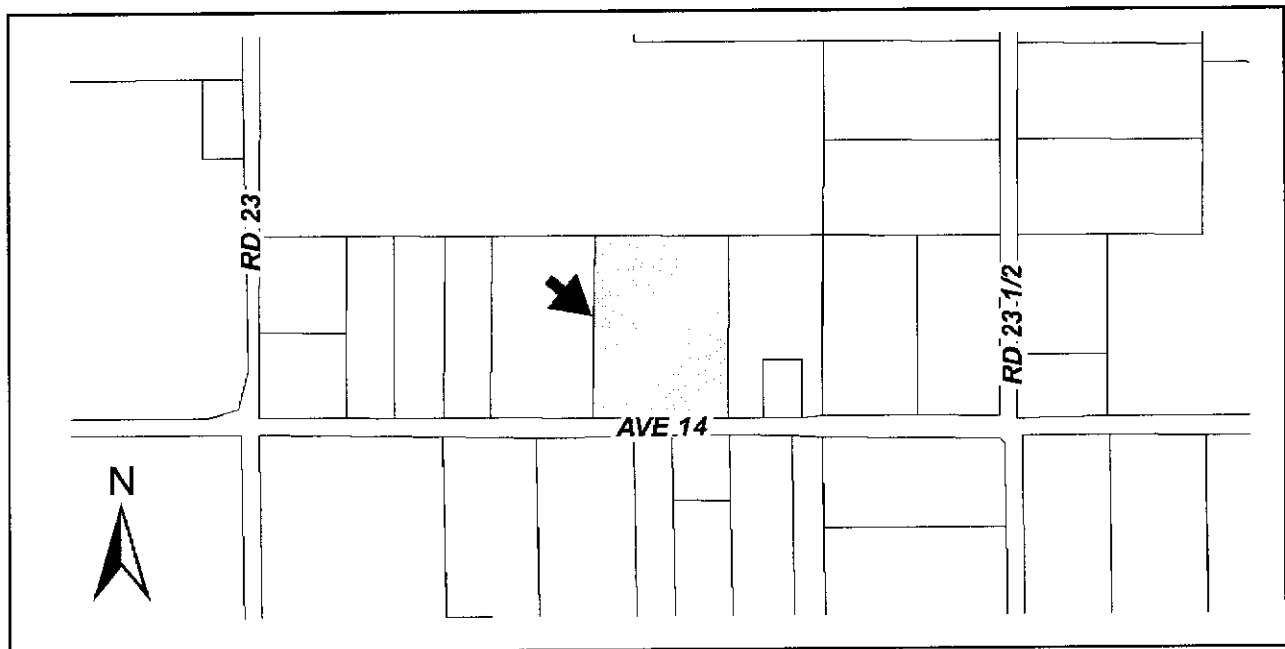
The application is for a conditional use permit to allow the conversion of an existing single family dwelling to a religious facility.

LOCATION:

The project is located on the north side of Avenue 14, approximately 0.22 miles west of the intersection of Avenue 14 and Road 23 1/2 (23249 Avenue 14), Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2012-28) has been prepared and is subject to the review and approval of the Planning Commission.



RECOMMENDATION: Approval of Conditional Use Permit #2012-022 subject to conditions, Mitigated Negative Declaration #2012-28, Mitigation Monitoring and Reporting Program.

GENERAL PLAN DESIGNATIONS (Exhibit A):

SITE: AE (Agricultural Exclusive) Designation

SURROUNDING: AE (Agricultural Exclusive) Designation

ZONING (EXHIBIT B)

SITE: AR-5 (Agricultural Rural-5Acre) District

SURROUNDING: AR-5 (Agricultural Rural-5 Acre) District, CRG (Commercial Rural General) District

LAND USE:

SITE: Vacant

SURROUNDING: Commercial, Agricultural and rural residential

SIZE OF PROPERTY (EXHIBIT C): 6.68 acres

ACCESS (EXHIBIT C):

The property is accessed on Avenue 14.

WILLIAMSON ACT:

The property involved in this proposal is not subject to a Williamson Act (Agricultural Preserve) contract.

BACKGROUND AND PRIOR ACTIONS:

No previous entitlements have been granted for this parcel. Building permits were issued for the single family dwelling, greenhouses, and storage buildings.

PROJECT DESCRIPTION:

The application is for a conditional use permit to allow the conversion of an existing single family dwelling to a religious facility. This project includes conversion of 3,167 square feet of existing living space to religious adoration, offices, bedrooms, and restrooms. There is also a proposed 894 square foot outdoor area for kitchen facilities.

ORDINANCES/POLICIES:

Madera County County Code 18.54 governs allowed uses within the AR-5 (Agricultural, Rural-5 Acre) district.

Madera County County Code 18.92 governs the requirements for processing and reviewing conditional use permits.

Madera County General Plan Policy Document (page 7) outlines the allowable uses within the AE (Agricultural Exclusive) designation.

ANALYSIS:

The application is for a conditional use permit to allow the conversion of an existing single family dwelling to a religious facility. This project includes 3,167 square feet of existing living space to religious adoration, offices, bedrooms, and restrooms. There is also an 894 square foot outdoor area for kitchen facilities. The internal walls of the living area will be removed to provide the assembly area.

The church will serve seven to eight families with the priests living in the residence while not on duty. The members will attend services on weekends only, between the hours of 8:00 am and 4:00 pm. The outdoor kitchen will be used by the priests on a daily basis and by the members during worship hours. Internal walls will be removed to allow for an

assembly area in the main living portion of the residence. Also, the applicant has indicated an 18'-0" flag pole will be placed in front of the house.

The property is situated along Avenue 14 surrounded by residential and agricultural uses. The subject parcel is required to comply with the parking requirement standards that require a solid masonry wall no less than six feet in height to be constructed along the common property line when parking facilities are located within one hundred feet of residentially zoned or developed property. (County Code 18.102.120(H)). The five-foot parking setback between the wall and the parking area shall be landscaped. The parking regulations also require one parking space for every 40 square feet of assembly area. The assembly area is 1,036.94 square feet, thereby requiring 26 parking spaces. The site plan indicates there will be 16 parking spaces; therefore, the site plan will have to be corrected to include an additional parking space. There is ample asphalt area in the rear of the residence to accommodate this.

Currently onsite there are greenhouse buildings toward the rear of the property which have served the current and previous land owners. The residence itself was constructed between 1972 and 1973.

Comments were received from the Engineering, Fire, Roads, and Environmental Health Departments, and the San Joaquin Valley Air Pollution Control District. The conversion of the residence would be subject to building and fire codes.

GENERAL PLAN CONSISTENCY STATEMENT:

The Conditional Use Permit to allow the religious facility, if approved, would be consistent with the existing zone district of AR-5. The zone district is consistent with the general plan designation of AE which allows for mostly agricultural uses, but also public and quasi-public uses. Based on Goal 1.G – *To designate adequately-sized, well-located areas for the development of public facilities to serve both community and regional needs.* - this facility will serve the community in local agricultural and residential areas.

FINDINGS

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this permit:

1. *The proposed project does not violate the spirit or intent of the zoning ordinance.* The property is zoned AR-5 (Agricultural Rural-5 Acre). The zone district allows religious facilities through a Conditional Use Permit. Churches are designated as a semi-public building in the Zoning Ordinance.
2. *The proposed project (request) is not contrary to the public health, safety or general welfare.* The proposed use will not substantially alter the existing dwelling. The religious facility must abide by the building and fire codes in order to mitigate any potential danger the building may have to surrounding business as well as visitors to the site.
3. *The proposed project (request) is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors.* The proposal will not involve hazardous materials or result in the emission of hazardous materials. No emission of any kind will result. Minimal odors and noise will be produced from temporary re-construction of internal walls and the outdoor kitchen.

4. *The proposed project (request) will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the neighborhood or of the County.* The proposal is consistent with the agricultural and residential uses in the area as it will serve these residents. The proposed use is not considered a use that will significantly impact adjacent properties or generate large amount of trips that could affect other properties as many surrounding properties are already developed residential or agricultural operations. The facility will not change in appearance; the exterior of the building will still resemble the residential/agricultural area.

RECOMMENDATION:

Staff recommends approval of Conditional Use Permit #2012-022, Negative Declaration #2012-28 subject to conditions as shown in the Conditions of Approval Monitoring and Reporting Program.

CONDITIONS:

Engineering Department - Exhibit I

1. Prior to the start of any construction projects, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered civil engineer.

Environmental Health Department - Exhibit J

1. The septic disposal system for the proposed facility must be designed for maximum occupancy/use by a registered Environmental Health Specialist, Civil Engineer, or Geologist acceptable to this department.
2. If the site is going to serve more than 25 people for 60 days per year then a public water system is required for this project.
3. The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.

Fire Department - Exhibit K

1. The proposed CUP will constitute a change in occupancy for the existing structure. Building permits will be required for approval.
2. At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2)

Planning Department:

1. Comply with mitigation measures in Negative Declaration, ND #2012-29.
2. The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.
3. Any changes or alterations will require an amendment to the Conditional Use Permit.
4. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission.

5. Any proposed lighting shall be hooded and directed away from surrounding properties and roadways. Any security lighting utilized around the perimeter of the project site must utilize motion detection systems that only operate the lights when movement is detected.
6. The western property line (front road right-of-way edge) must have a 6'-0" masonry block wall constructed per section 18.102.120.H.3 of the County Code. The five-foot parking setback between the wall and the parking area shall be landscaped.
7. The site plan shall be corrected and approved by the Planning Department adding 10 additional parking space as required by section 18.102.040 of the County Code.
8. The applicant must meet and work with Planning Department staff to provide an aesthetically appealing façade to the proposed building prior to building permit application.

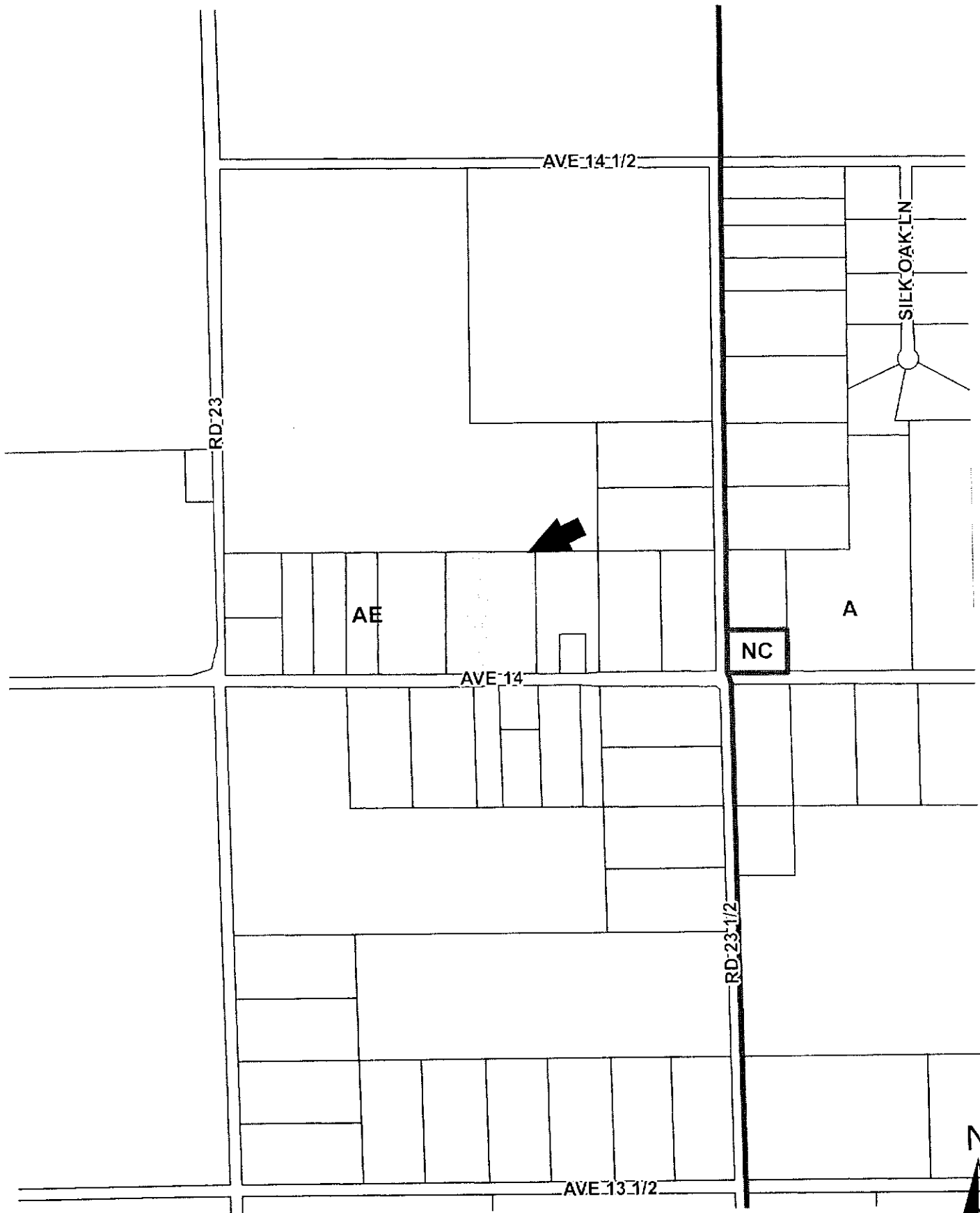
Road Department - Exhibit L

1. Prior to approval, the applicant is required to Grant Deed an additional 10'-0" strip of land abutting Avenue 14 into fee title ownership. The deed shall encompass the existing 30 foot easement to convey the total portion into fee title ownership.
2. The driveway approaches shall be built to a Commercial County Standard.
3. Prior to any construction within the right of way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.

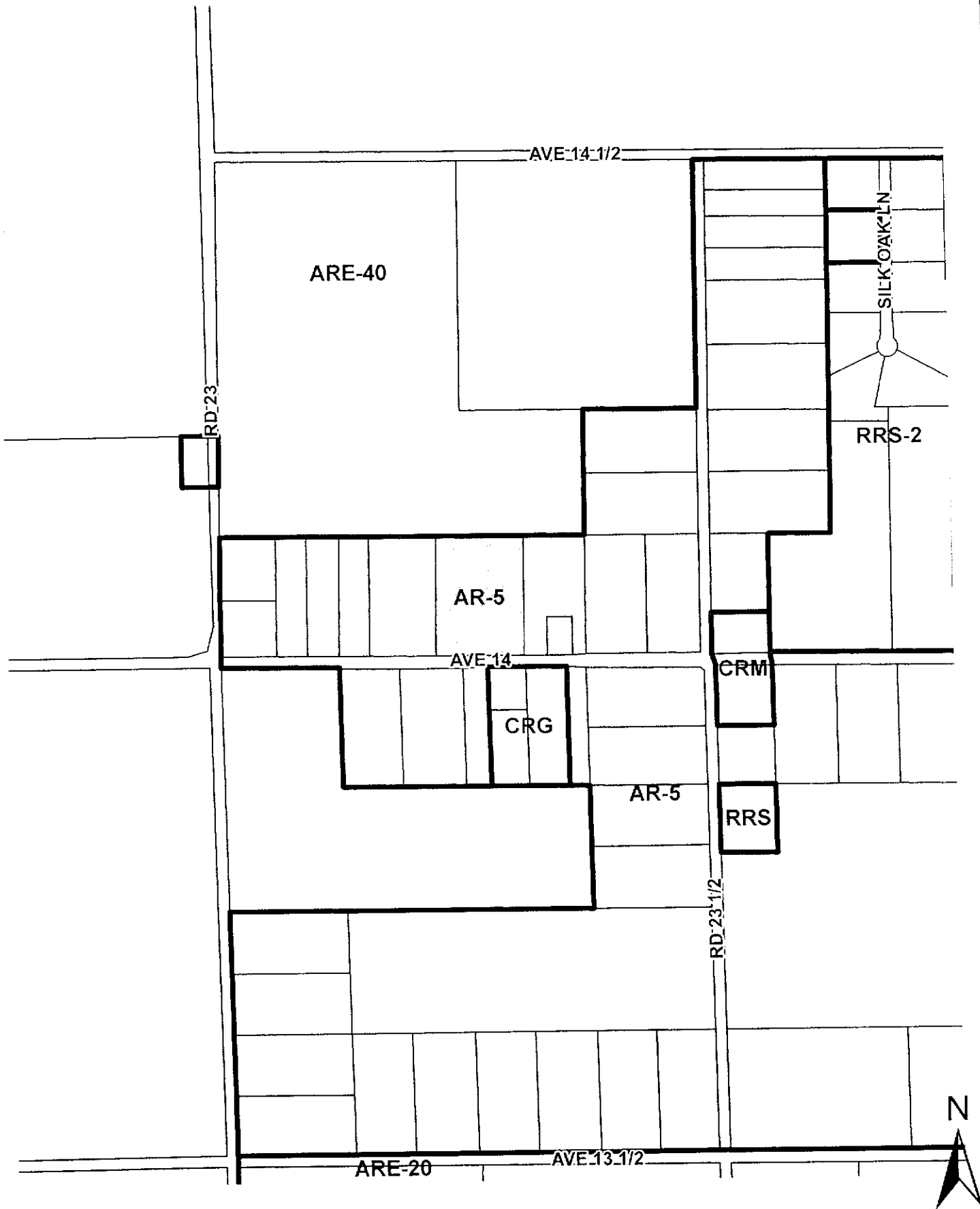
ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit D-2, Floor Plan/Elevations
6. Exhibit E, Aerial Map
7. Exhibit F, Topographical Map
8. Exhibit G, Operational Statement
9. Exhibit H, Engineering Department Comments
10. Exhibit I, Environmental Health Department Comments
11. Exhibit J, Fire Department Comments
12. Exhibit K, Road Department Comments
13. Exhibit L, SJVAPCD Comments
14. Exhibit M, Initial Study
15. Exhibit N, Negative Declaration #2012-28
16. Exhibit O, Conditions of Approval Monitoring and Reporting Program

EXHIBIT A



GENERAL PLAN MAP

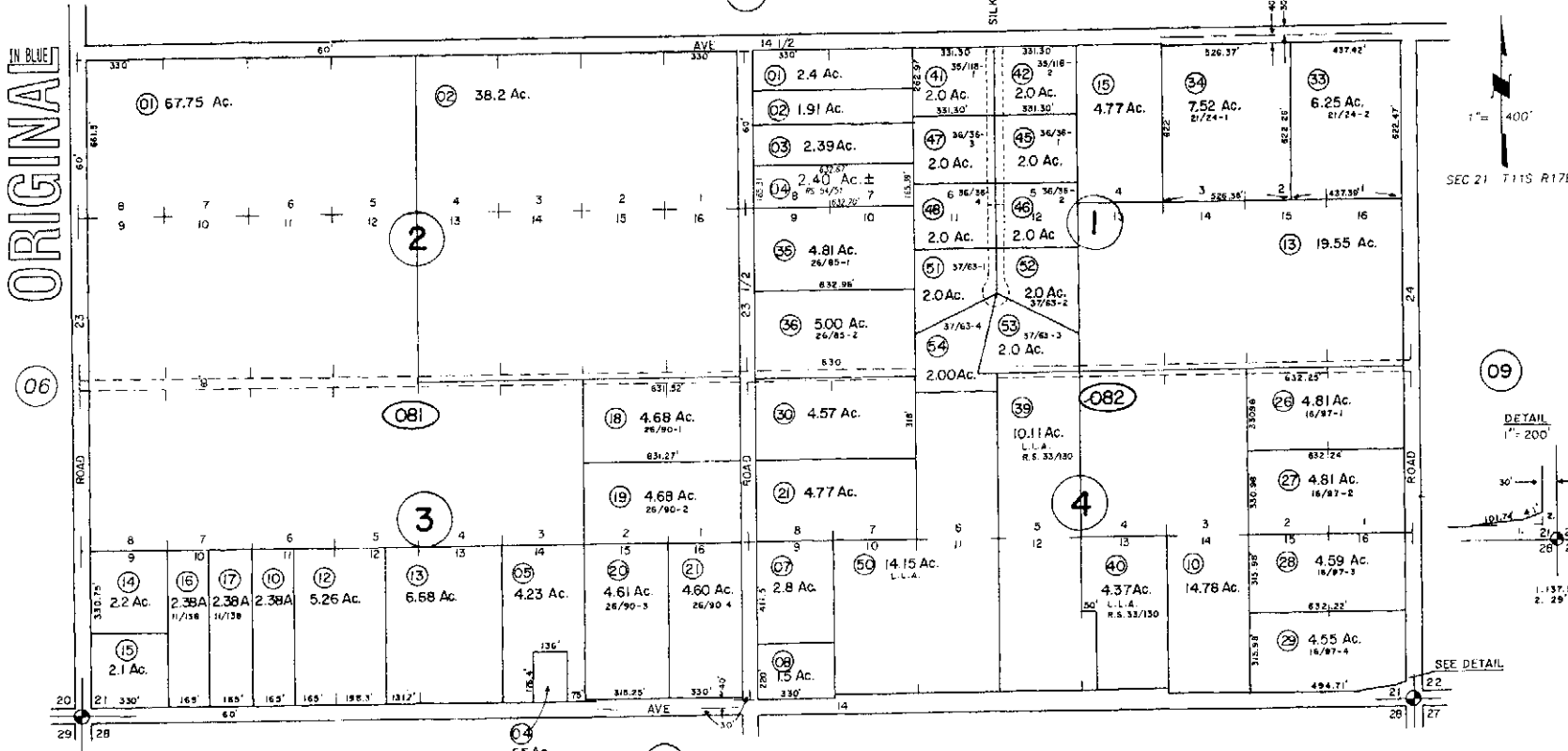


ZONING MAP

HOWARD WILSON COLONY NO. 1

45-08

Tax Area Code
61-003

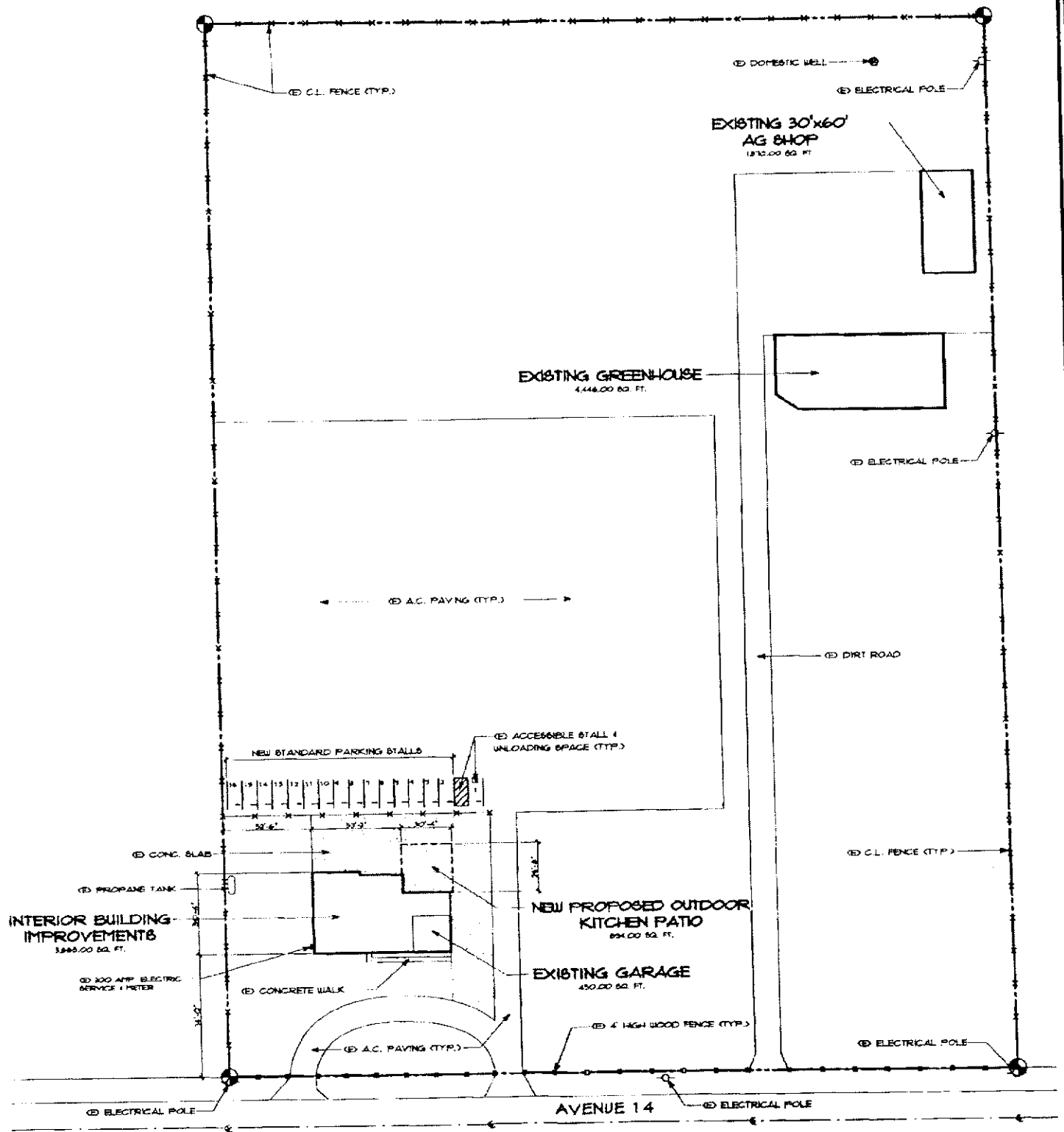


NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

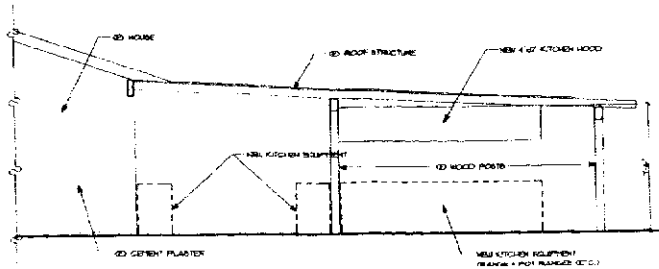
NOTE - Assessor's Block Numbers Shown in Ellipses. ○
Assessor's Parcel Numbers Shown in Circles. ○

Assessor's Map No. 45-08
Madera Unified/Howard
County of Madera, Calif.
1957

EXHIBIT D-1

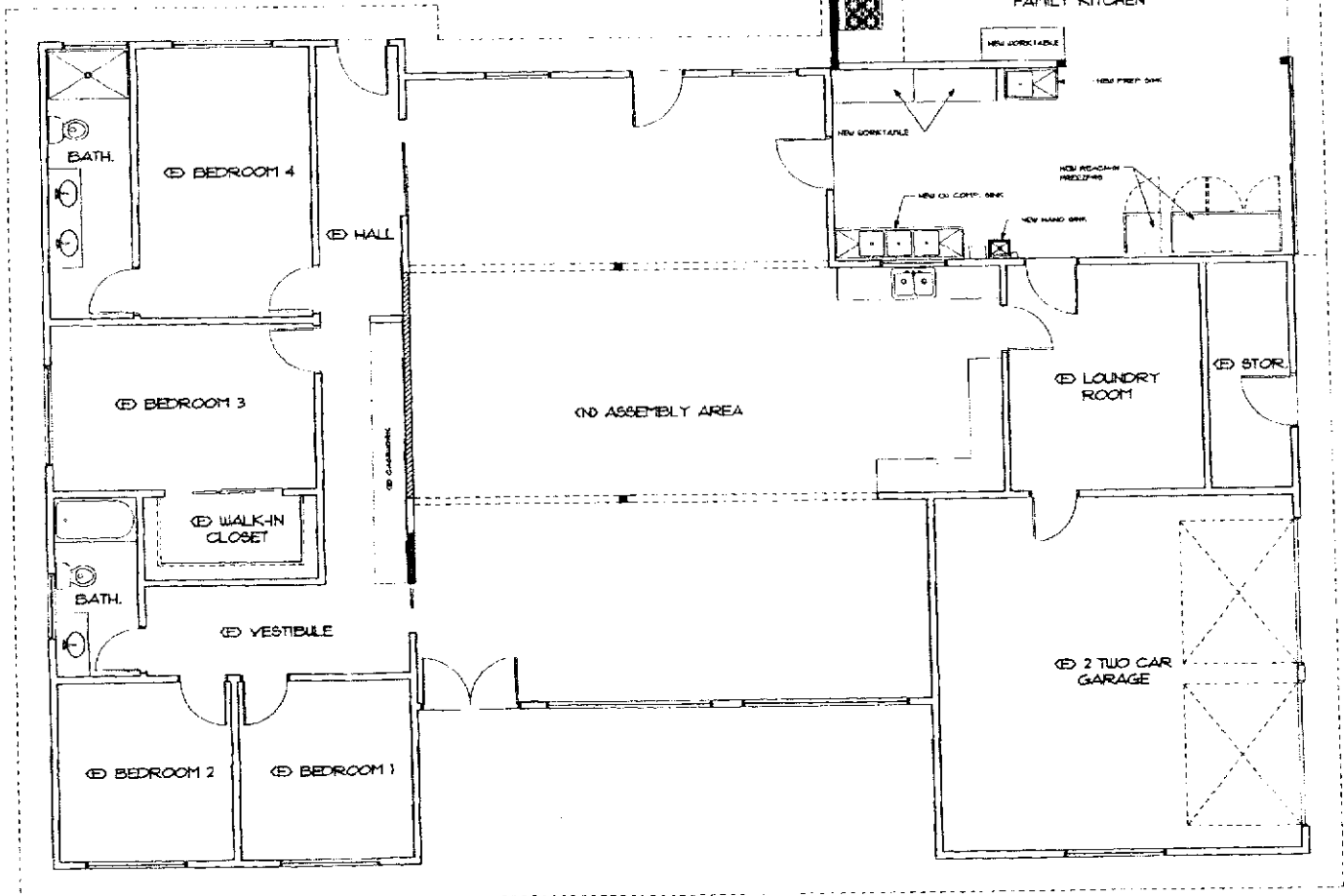
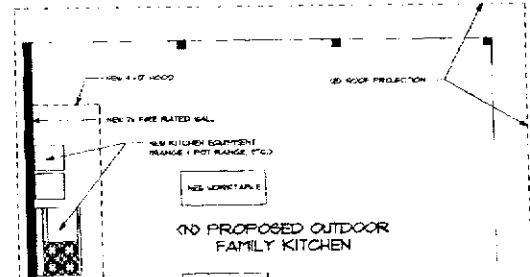


SITE PLAN

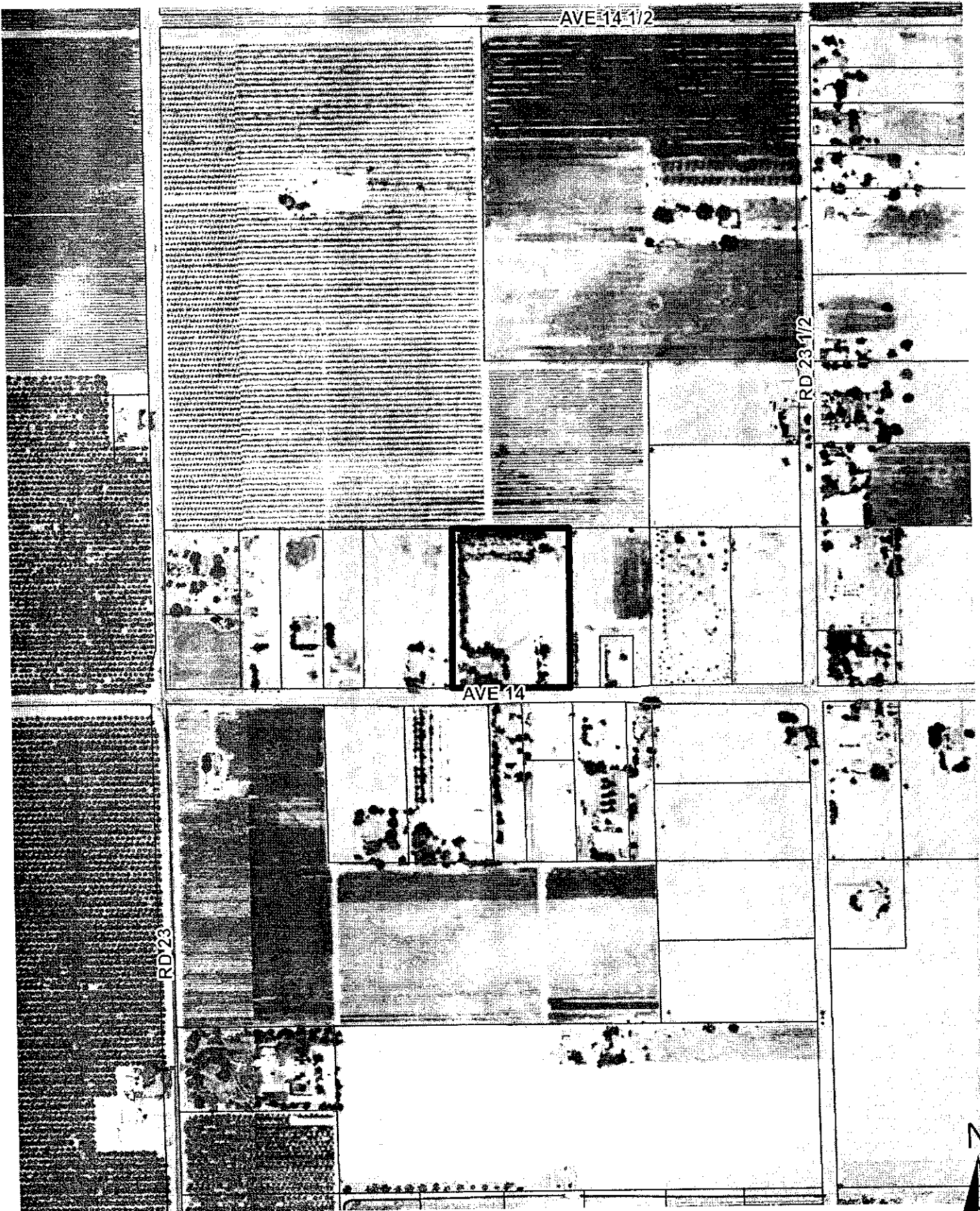


**PARTIAL MAIN ELEVATION
AT OUTDOOR FAMILY KITCHEN**

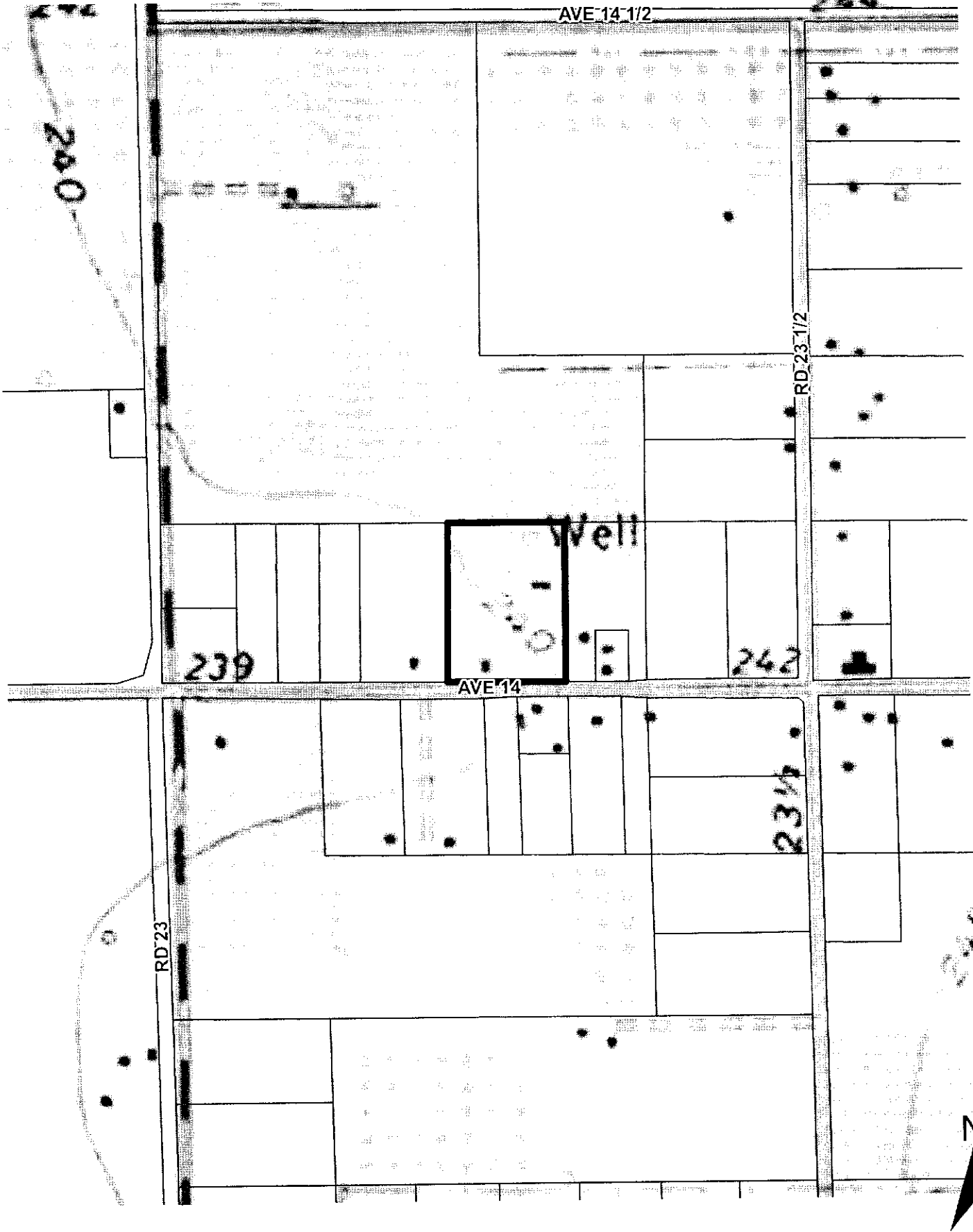
EXTERIOR ELEVATION
SCALE: 1/4" = 1'-0"



FLOOR PLAN AND ELEVATIONS



AERIAL MAP



TOPOGRAPHICAL MAP

OPERATIONAL/ENVIR. STATEMENT

EXHIBIT G

03 October 2012

1. Please provide the following information:

APN: 045-081-013

Applicant's Name: Mr. Gurcharan S. Rakkar

Address: 11760 Highway 145, Madera, CA 93637

Tel: (559) 479-0341

2. Describe the nature of your proposal/operation (please be specific)

The Gurdwara Parmeshar Dwar Church will provide religious services to a number of 7 to 8 families. This project includes 3,167.00 sq. ft. of existing living area with spaces dedicated to religious adoration, office's priest, bedrooms & restrooms. There is also an 894.00 sq. ft. covered outdoor area dedicated to a kitchen (See attached Floor Plan sheet A2).

3. What is the existing use of the property?

Agricultural – Residential

4. What products will be produced by the operation? Will they be produced on-site or at some other location? Are these products to be sold on site? Explain.

There is not going to be any products to be sold or produced in the proposed project.

5. What are the proposed operational time limits?

Months (if seasonal): N/A

Days per Week: 7days

Hours (from: 8am to: 5pm)

Total hours per day: 4 hours

6. Will there be any special activities or events?

Frequency: Week end only

Hours: 8am to 4pm

Are these activities indoors or outdoors?: Indoor

7. How many customers or visitors are expected?

Average number per day: 8

Maximum number per day: 15

What hours will customers/visitors be there?: 3 – 4 hours

8. How many employees will be there?

Current: 0

Future: 2

Hours they work: 40 hours

Do any live on-site? If so, in what capacity (i.e. caretaker)?: Yes they are priests and stay in rooms during off duty.

9. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures. No equipment's or supplies requires

Not equipment, materials or supplies to be sold or stored in the property, except for musical instruments for adoration and kitchen equipment.

10. Will there be any service or deliver vehicles?

No, we will not provide any service that requires deliver or service vehicles.

11. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing area:

We are proposing a total of 16 Parking stalls included one (1) ADA compliant. This total of Parking stalls includes enough parking for the (8) families that the Church is going to serve. The type of surfacing on parking is existing Asphalt Concrete.

12. How will access be provided to the property/project? (Street Name)

The project has immediate access to 14th Avenue (See attached Sheet A1).

13. Estimate the number and type (i.e. cars, trucks) of vehicular trips per day that will be generated by the proposed development:

The project is not going to impact the flow of vehicular transit at any time, the expected number of cars circulating from any point of the city of Madera or other close locations to the property is estimated in a maximum number of 8 (one vehicle per family).

14. Describe any proposed advertising including size, appearance and placement.

There is not advertising included in the project, except for an 18' high flag pole.

15. Will existing building be used or will new buildings be constructed? Indicate in which building(s) or portion(s) or will be utilized and describe the type of construction materials, height, color, etc. Provide Floor Plan and elevations, if appropriate.

We will use the existing building for the church and the kitchen is going to be located under the existing covered patio next to the house. No new construction is going to be achieved.

16. Is there any landscaping or fencing proposed? Describe type and location:

There is not any exterior new work that involves new landscape and/or fencing.

17. What are the surrounding land uses to the North, South, East and West boundaries of the property?

Agricultural – Residential

18. Will this operation or equipment used generate noise bove existing parcels in the area?

No.

19. On a Daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development?

20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how P'll it be disposed of?

There is not much disposal than the regular use of restrooms and what the kitchen generates for the cleaning of vegetables and dishes.

21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how it will be disposed of?

22. Will be there be any grading? Tree Removal? (Please state the purpose, i.e. for roads, building pads, drainage, etc.)

No, the project requires not Grading.

23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.

No there is not any of the above mentioned.

24. Locate and show all bodies of water on application plot plan or attached map.

There are not bodies of water around or in the property.

25. Show any ravines, gullies and natural drainage courses on the property on the plot plan.

There is not any kind of drainage courses in the property.

26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of? N/A

27. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

No.

28. How do you see this development impacting the surrounding area?

There is not physical impact in the surrounding area.

29. How do you see this development impacting schools, parks, fire and police protection or special districts? It would be no impact

30. If your proposal id for commercial or industrial development, please complete the following:

Proposed Use(s): N/A

Square Feet of Building Area(s): N/A

Total Number of Employees: N/A

Building Heights(s): N/A

31. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

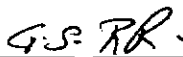
N/A

October 3, 2012

Project Name/Location: Gurduara Parmeshar Dwar
23249 avenue 14th
Madera, CA 93637
APN: 045-081-013
Zone: AR-5

The Gurdwara Parmeshar Dwar Church will provide religious services to a limited number of 7 to 8 Families. This project includes 3,167.00 sq. ft. of existing living area with spaces dedicated to adoration, office's priest, bedrooms & restrooms. There is also a 894.00 sq. ft. covered outdoor area dedicated to a kitchen (See attached Floor Plan sheet A-2).

Sincerely,



Gurcham S. Rakkar, Owner

Engineering and General Services

2037 West Cleveland
Avenue
Madera, CA 93637
(559) 661-6333
(559) 675-7639
FAX
(559) 675-8970
TDD

Bass Lake Office
40601 Road 274
Bass Lake, CA
93604
(559) 642-3203
(559) 658-6959
FAX

engineering@madera-county.com

MEMORANDUM

TO: Jamie Bax
FROM: Madera County
DATE: November 13, 2012
RE: Sahota, Nick - Conditional Use Permit - Madera (045-081-013-000)

Comments

RE: CUP 2012-022

Prior to the start of any construction projects, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered civil engineer.

Property is not located in a Flood Zone.

Property is not within a County Maintained or Serviced Area.

For questions please contact Engineering.

Dario Dominguez
559-675-7817 ext 3322

RESOURCE MANAGEMENT AGENCY

Environmental Health Department

Jill Yaeger, Director

• 2037 West Cleveland Avenue
• Madera, CA 93637
• (559) 675-7823

MEMORANDUM

TO: Jamie Bax
FROM: Madera County
DATE: November 13, 2012
RE: Sahota, Nick - Conditional Use Permit - Madera (045-081-013-000)

Comments

The Environmental Health Department has reviewed the Conditional Use Permit (CUP)# 2012-022 Nick Sahota, located on APN: 045-081-013, within the Madera area and has determined the following:

The septic disposal system for the proposed facility must be designed for maximum occupancy/use by a registered Environmental Health Specialist, Civil Engineer, or Geologist acceptable to this department.

If the site is going to serve more than 25 people for 60 days per year then a public water system is required for this project.

The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.

If there are any questions or comments regarding these conditions/requirements or for copies of any Environmental Health Permit Application forms and/or other required Environmental Health form please, feel free to contact the appropriate program specialist as indicated in the above comments or contact me within this department at (559) 675-7823, M-F, 8:00 AM to 5:00 PM.

MADERA COUNTY FIRE DEPARTMENT EXHIBIT J
IN COOPERATION WITH
CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

2037 W CLEVELAND
MADERA, CALIFORNIA 93637
(559) 661-6333
(559) 675-6973 FAX

DEBORAH KEENAN
MADERA COUNTY FIRE MARSHAL

MEMORANDUM

TO: Jamie Bax
FROM: Madera County
DATE: November 13, 2012
RE: Sahota, Nick - Conditional Use Permit - Madera (045-081-013-000)

Conditions

The proposed CUP will constitute a change in occupancy for the existing structure. Building permits will be required for approval.

At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2)



ROAD DEPARTMENT
COUNTY OF
MADERA

2037 WEST CLEVELAND AVENUE/MADERA, CALIFORNIA 93637
(559) 675-7811 / FAX (559)675-7631

JOHANNES HOEVERTSZ
Road Commissioner

MEMORANDUM

TO: Jamie Bax
FROM: Road Department
DATE: November 13, 2012
RE: Sahota, Nick - Conditional Use Permit - Madera (045-081-013-000)

CONDITIONS -

Our department does not anticipate any significant impacts to the circulation or roadway from this proposal and recommends approval with the following conditions...

The project has access from Avenue 14, which is near to the Madera City Limits... just west of County Road 23½. Avenue 14 ("Howard Road", name within the City Limits) is designated as an Arterial roadway, requiring an 80-foot total width according to the County General Plan; and a 100-foot width within the City Sphere, according to the City of Madera General Plan. The proposal is slightly west of the Boundary Line of the Madera City Sphere of Influence.

The existing road right-of-way previously dedicated in this vicinity has only a 30-foot width along the north side of Avenue 14. This proposal shall require an additional 10-foot strip of right-of-way to be Grant Deeded. The deed shall encompass the existing 30-foot easement to convey the total portion into fee title ownership.

This public roadway is within the County Maintained, no Special Districts are in this area for additional road maintenance. The driveways shall be built to a Commercial County Standard, along with obtaining an Encroachment Permit for any work to be done within the public road right-of-way.

THE ROAD DEPARTMENT HAS THE FOLLOWING RECOMMENDATIONS OF APPROVAL:

1. Prior to approval, the applicant is required to Grant Deed an additional 10'-0" strip of land abutting Avenue 14 into fee title ownership... the deed shall encompass the existing 30 foot easement to convey the total portion into fee title ownership.
2. The driveway approaches shall be built to a Commercial County Standard.
3. Prior to any construction within the right of way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.



October 15, 2012

OCT 18 2012

Jamie Bax
Madera County
Planning Development
2037 W. Cleveland Avenue
Madera, CA 93637

**Project: CUP# 2012-022, Sahota, Nick – Conditional Use Permit
Madera (045-081-013-000)**

District CEQA Reference No: 20120642

Dear Ms. Bax:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a conditional use permit to allow conversion of existing single family dwelling to religious facility, located at 11760 Highway 145, in Madera, CA. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project is not subject to District Rule 9510 (Indirect Source Review).
3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

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

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

Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Sharla Yang, at (559) 230-5934.

Sincerely,

David Warner
Director of Permit Services

Sharla Yang

Yoo Arnaud Marjollet
Permit Services Manager

DW: sy

Cc: File

Environmental Checklist Form

EXHIBIT M

Title of Proposal: Conditional Use Permit #2012-022, Nick Sahota (Gurdwara Parmeshar Church)

Date Checklist Submitted: December 10, 2012

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Jamie Bax, Planner III

Phone: (559) 675-7821

Description of Project:

The application is for a conditional use permit to allow the conversion of an existing single family dwelling to a religious facility (Sikh).

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have significant effects on the environment. In the case of the proposed project, the Madera County Planning Department, acting as lead agency, will use the initial study to determine whether the project has a significant effect on the environment. In accordance with CEQA, Guidelines (Section 15063[a]), an environmental impact report (EIR) must be prepared if there is substantial evidence (such as results of the Initial Study) that a project may have significant effect on the environment. This is true regardless of whether the overall effect of the project would be adverse or beneficial. A negative declaration (ND) or mitigated negative declaration (MND) may be prepared if the lead agency determines that the project would have no potentially significant impacts or that revisions to the project, or measures agreed to by the applicant, mitigate the potentially significant impacts to a less-than-significant level.

The initial study considers and evaluates all aspects of the project which are necessary to support the proposal. The complete project description includes the site plan, operational statement, and other supporting materials which are available in the project file at the office of the Madera County Planning Department.

Project Location:

The project site is located on the north side of Avenue 14, approximately 0.22 miles west of the intersection of Avenue 14 and Road 23 1/2 (23249 Avenue 14), Madera

Applicant Name and Address:

Gurcharan Rakkar
c/o Nick Sahota
2132 High Street
Selma, CA 93662

General Plan Designation:

AE (Agricultural Exclusive)

Zoning Designation:

AR-5 (Agricultural Rural-5 Acre)

Surrounding Land Uses and Setting:

Agricultural and residential

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.

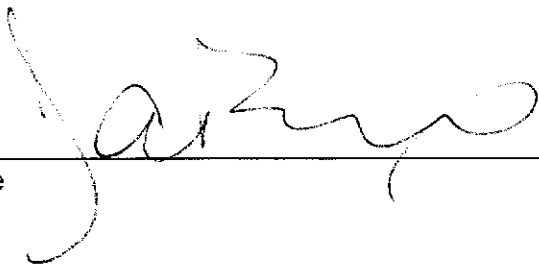
- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous 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/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature



Date

12/10/12

I. AESTHETICS -- Would the project:

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

Discussion:

(a) No Impact. There are no scenic resources in the vicinity of the project site.

(b) No Impact. The project site is not located in the vicinity of the state scenic highway.

(c) Less Than Significant Impact with Mitigation Incorporation. The proposed outdoor kitchen shall be shielded from the elements in aesthetically appealing manner approved by the Planning Department. The material use for shielding shall be neat and secure.

(d) Less Than Significant with Mitigation Incorporation. Any lighting shall be hooded and directed away from neighboring residences.

A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by "light pollution." Light pollution, as defined by the International dark-Sky Association, is any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste. Two elements of light pollution may affect city residents: sky glow and light trespass. Sky glow is a result of light fixtures that emit a portion of their light directly upward into the sky where light scatters, creating an orange-yellow glow above a city or town. This light can interfere with views of the nighttime sky and can diminish the number of stars that are visible. Light trespass occurs when poorly shielded or poorly aimed fixtures cast light into unwanted areas, such as neighboring property and homes.

Light pollution is a problem most typically associated with urban areas. Lighting is necessary for nighttime viewing and for security purposes. However, excessive lighting or inappropriately designed lighting fixtures can disturb nearby sensitive land uses through indirect illumination. Land uses which are considered "sensitive" to this unwanted light include residences, hospitals, and care homes.

Daytime sources of glare include reflections off of light-colored surfaces, windows, and metal details on cars traveling on nearby roadways. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times.

III. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project and forest carbon

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (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 land? | <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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a - b) No Impact. The project site is zoned for agricultural and residential use. Greenhouses are in use at the rear of the property. The existing residence will be used for the proposed church. The property is not subject to a Williamson Act contract.

(c-d) No Impact. The project site is located on the valley floor and will not impact any forest land.

(e) Less Than Significant Impact. The project site is located on a parcel zoned for agricultural and residential uses. The existing residence will be used for the proposed church; however a small parking facility will be used at the rear of the house for church members. This portion of the property could otherwise be used for agriculture.

- | | | | | |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- e) Create objectionable odors affecting a substantial number of people?

Discussion:

(a, b, d) Less Than Significant. The proposed project will involve temporary construction of the facility. The amount of new pollution will be negligible and temporary for the most part.

(c, d) Less Than Significant with Mitigation Incorporation. The applicant shall comply with San Joaquin Air Pollution Control District requirements.

Global Climate Change

Climate change is a shift in the "average weather" that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is "very high confidence" (by IPCC definition a 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

CEQA requires an agency to engage in forecasting "to the extent that an activity could reasonably be expected under the circumstances. An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal" (CEQA Guidelines Section 15144, Office of Planning and Research commentary, citing the California Supreme Court decision in Laurel Heights Improvement Association v. Regents of the University of California [1988] 47 Cal. 3d 376).

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

California Assembly Bill (AB) 1493 (Pavley) enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHG emitted by passenger vehicles and light duty trucks. Regulations adopted by CARB will apply to 2009 and later model year vehicles. CARB estimates that the regulation will reduce climate change emissions from light duty passenger vehicle fleet by an estimated 18 percent by 2020 and by 27 percent in 2030 (CARB 2004a).

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S3-05, the following GHG emission targets: by 2010 reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions by 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels.

IV. BIOLOGICAL RESOURCES -- Would the project:

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

Discussion:

(a) No Impact. The proposed project is located on a parcel which is developed residentially and has greenhouses at the rear of the property. Surrounding parcels are all either residentially or agriculturally developed.

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);
- Animals listed as "fully protected" in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

A review of both the County's and Department of Fish and Game's databases for special status species have identified the following species:

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
California tiger salamander	Threatened	Threatened	SSC	
Burrowing owl	None	None	SSC	
Hoary bat	None	None		
Blunt-nosed leopard lizard	Endangered	Endangered	FP	
Northern Hardpan Vernal pool	None	None		
Molestan blister beetle	Threatened	None		
Madera leptosiphon	None	None		1B.2
Hairy Orcutt grass	Threatened	Endangered		1B.1

List 1A: Plants presumed extinct

List 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.

List 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere

List 3 Plants which more information is needed – a review list

List 4: Plants of Limited Distributed - a watch list

Ranking

0.1 – Seriously threatened in California (high degree/immediacy of threat)

0.2 – Fairly threatened in California (moderate degree/immediacy of threat)

0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known)

The Valley elderberry longhorn beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the USFWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

(b - f) No Impact. The proposed project is located on a residentially developed parcel and greenhouses exist at the rear of the property. Surrounding parcels to the east and west are developed. Surrounding properties in all directions are developed either residentially or agriculturally.

General Information

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the Department of Fish and Game. The same Senate Bill also increases the associated fees for the Fish and Game; the current fees associated with a Mitigated Negative Declaration are \$2,156.25, and the County Clerk filing fee is \$50.

In short, the applicant must either contact the California Department of Fish and Game and get them to issue a de minimis finding and fee exemption waiver, submit that with the County \$50 filing fee, **OR** submit a total of \$2,206.25 (on top of associated County Fees) to the County.

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Public Resource Code 5021.1(b) defines a historic resource as "any object building, structure, site, area or place which is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California." These resources are of such import, that it is codified in CEQA (PRC Section 21000) which prohibits actions that "disrupt, or adversely affect a prehistoric or historic archaeological site or a property of historical or cultural significance to a community or ethnic or social groups; or a paleontological site except as part of a scientific study."

Archaeological importance is generally, although not exclusively, a measure of the archaeological research value of a site which meets one or more of the following criteria:

- Is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory.
- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions.
- Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
- Is at least 100 years old and possesses substantial stratigraphic integrity (i.e. it is essentially undisturbed and intact).
- Involves important research questions that historic research has shown can be answered only with archaeological methods.

Reference CEQA Guidelines §15064.5 for definitions.

(a - d) No Impact. The project site is located on a developed parcel with both residential and agricultural uses.

Most of the archaeological survey work in the County has taken place in the foothills and mountains. This does not mean, however, that no sites exist in the western part of the County, but rather that this area has not been as thoroughly studied. There are slightly more than 2,000 recorded archaeological sites in the County, most of which are located in the foothills and mountains. Recorded prehistoric artifacts include village sites, camp sites, bedrock milling stations, pictographs, petroglyphs, rock rings, sacred sites, and resource gathering areas. Madera County also contains a significant number of potentially historic sites, including homesteads and ranches, mining and logging sites and associated features (such as small camps, railroad beds, logging chutes, and trash dumps.

VI. GEOLOGY AND SOILS -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-e) No Impact. The project site is located on a developed parcel with both residential and agricultural uses.

Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

The foothill area of the county is essentially a transition zone, containing old alluvial soils that have been dissected by the west-flowing rivers and streams which carry runoff from the Sierra Nevada's.

Seismicity varies greatly between the two major geologic provinces represented in Madera County. The Central valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada's, partly within Madera County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Ranges on the west side of the Central Valley are also a result of these forces, and continued movement of the Pacific and North American tectonic plates continues to elevate the ranges. Most of the seismic hazards in Madera County result from movement along faults associated with the creation of these ranges.

There are no active or potentially active faults of major historic significance within Madera County. The County

does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep.

However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

San Andreas Fault: The San Andreas Fault lies approximately 45 miles west of the county line. The fault has a long history of activity and is thus a concern in determining activity in the area.

Owens Valley Fault Group: The Owens Valley Fault Group is a complex system containing both active and potentially active faults on the eastern base of the Sierra Nevada Range. This group is located approximately 80 miles east of the County line in Inyo County. This system has historically been the source of seismic activity within the County.

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake, Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

In addition, the Clovis Fault, although not having any historic evidence of activity, is considered to be active within quaternary time (within the past two million years), is considered potentially active. This fault line lies approximately six miles south of the Madera County line in Fresno County. Activity along this fault could potentially generate more seismic activity in Madera County than the San Andreas or Owens Valley fault systems. However, because of the lack of historic activity along the Clovis Fault, there is inadequate evidence for assessing maximum earthquake impacts.

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the County's seismic setting and its record of historical activity (General Plan Background Element and Program EIR). The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

According to the Madera County General Plan Background Report, groundshaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas.

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shaking. According to the Madera County General Plan Background Report, although there are areas of Madera County where the water table is at 30 feet or less below the surface, soil types in the area are not conducive to liquefaction because they are either too coarse in texture or too high in clay content; the soil types mitigate against the potential for liquefaction.

VII. GREENHOUSE GAS EMISSIONS - Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion:

(a) Less Than Significant Impact. The proposed project will allow for occasional additional traffic of church members. The number of members is limited to approximately 7 families. The amount of new traffic to contribute to greenhouse gas emissions will be less than significant.

(b) Less Than Significant with Mitigation Incorporation. Emissions from construction will be minor and temporary. The applicant shall comply with San Joaquin Valley Air Pollution Control District requirements.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

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

Discussion:

(a - b) No Impact. No hazardous materials are proposed to be used as part of this proposal.

(c) No Impact. The project site is not located within one-quarter mile of a school.

(d – f) No Impact. The proposed project is not located in an area included on a list of hazardous materials

sites, nor is it located near an airstrip.

(g) No Impact. The proposed project is located on a developed parcel with residential and agricultural uses. Traffic patterns will not be altered as a result of the project.

(h) No Impact. The proposed project is not located in an area affected by wildland fires.

IX. HYDROLOGY AND WATER QUALITY – Would the project:

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

Discussion:

(a-b) Less Than Significant. The existing residence is served by an individual well and septic system. If the site is going to serve more than 25 people for 60 days per year then a public water system is required for this project.

(c - f) No Impact. The proposed project is on a parcel developed with residential and agricultural uses.

(g-j) No Impact. The proposed project is not located in a flood zone, nor is it located near an area which could be affected by seiche, tsunami, or mudflow.

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes or changes in barometric pressure. A tsunami is an unusually large sea wave produced by seaquake or undersea volcanic eruption (from the Japanese language, roughly translated as "harbor wave"). According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. As this property is not located near any bodies of water, no impacts are identified.

X.	LAND USE AND PLANNING – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - c) No Impact. The proposed project is on a parcel developed with residential and agricultural uses. No new parcels will be created as a part of this proposal.

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

Discussion:

(a - c) No Impact. The proposed project is on a parcel developed with residential and agricultural uses.

XII.	NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

General Discussion

The Noise Element of the Madera County General Plan (Policy 7.A.5) provides that noise which will be created by new non-transportation noise sources shall be mitigated so as not to exceed the Noise Element noise level standards on lands designated for noise-sensitive uses. However, this policy does not apply to noise levels associated with agricultural operations. All the surrounding properties, while include some residential units, are designated and zoned for agricultural uses. This impact is therefore considered less than significant.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g. demolition/land clearing, grading and excavation, erection). The United States Environmental Protection Agency has found that the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA Leq, with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods.

Short Term Noise

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

Long Term Noise

Mechanical building equipment (e.g. heating, ventilation and air conditioning systems, and boilers), associated with the proposed structures, could generate noise levels of approximately 90 dBA at 3 feet from the source. However, such mechanical equipment systems are typically shielded from direct public exposure and usually housed on rooftops, within equipment rooms, or within exterior enclosures.

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, associated with the proposed operations could result in intermittent noise levels that range from approximately 80 to 100 dBA at 3 feet, respectively. Based on an equipment noise level of 100 dBA, landscape maintenance equipment (assuming a noise attenuation rate of 6 dBA per doubling of distance from the source) may result in exterior noise levels of approximately 75 dBA at 50 feet.

(a - d) Less Than Significant Impact. The proposed project will include the construction of an outdoor kitchen and the removal of internal walls. The construction will be temporary and may result in ground vibrations and normal levels of construction noise.

(e-f) No Impact. The project site is not located within two miles of an airport or within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING -- Would the project:

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

Discussion:

(a - c) Discussion. - The project as mitigated would not result in substantial population growth, and would not displace existing housing or people.

The proposed project is not designed to induce population growth, and will not result in substantial direct or indirect growth inducement. No housing will be displaced as a result of the project. No people will be displaced as a result of the project.

According to the California Department of Finance, in October 2006, there were 59,400 jobs in Madera County. Of those, 23,800 jobs were in the cities of Madera and Chowchilla, and 23,800 were in the unincorporated areas. This leads to a jobs/housing ratio of 1.27:1 for the County and 1.19:1 for the unincorporated areas.

XIV. PUBLIC SERVICES

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

Discussion:

(a-i and ii) Discussion - The proposed project site is within the jurisdiction of the Madera County Fire

Department. Crime and emergency response is provided by the Madera County Sherriff's Department. The proposed project will have no impact on local parks and will not create demand for additional parks.

Madera County Fire Department provides fire protection services to all unincorporated areas of Madera County, which has an estimated 2000 population of 74,734 persons. MCFD is a full service fire department and is comprised of 15 fire stations, a fleet of approximately 50 fire apparatus and support vehicles, 19 full-time career fire suppression personnel and 185 paid on-call firefighters, and 11 support personnel. The career fire suppression personnel and department administration are provided through a contract with the California Department of Forestry and Fire Protection (CDF). Fire prevention, clerical, and automotive support personnel are County employees. Based on the estimated 2006 population the unincorporated portion of Madera County has a current fire protection personnel ratio of 2.52:1000 to the populations (2.52 full-time career and paid on-call personnel to 1000 residents).

The Federal Bureau of Investigations suggests a law enforcement officer to population ratio of 1.7 – 2.2 per thousand in rural counties.

(a-iii)

Single Family Residences have the potential for adding to school populations. The average per Single Family Residence is:

Grade	Student Generation per Single Family Residence
K – 6	0.425
7 – 8	0.139
9 – 12	0.214

(a-iv)

The Madera County General Plan allocates three acres of park available land per 1,000 residents' population.

(a – v) No Impact. The proposed church is currently served by an individual well and septic system.

XV. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - b) No Impact. No population growth will occur as a result of this project. The church will only facilitate members who visit on a temporary basis.

The Madera County General Plan allocates three acres of park available land per 1,000 residents' population.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a, b) Less Than Significant Impact. A minor increase in traffic will result as a part of this proposal as approximately 7 families will attend the church. The trips will be limited to days with church services.

(c) No Impact. The proposal is limited to an existing residence which will not change air traffic patterns.

(d, e, f) No Impact. The proposal will not result in the construction or alterations of roadways.

According to the Institute of Traffic Engineers (7th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57.

Madera County currently uses Level Of Service "D" as the threshold of significance level for roadway and intersection operations. The following charts show the significance of those levels.

Level of Service	Description	Average Control Delay (sec./car)
A	Little or no delay	0 – 10
B	Short traffic delay	>10 – 15
C	Medium traffic delay	> 15 – 25
D	Long traffic delay	> 25 – 35
E	Very long traffic delay	> 35 – 50
F	Excessive traffic delay	> 50

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10

B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

Level of service	Freeways	Two-lane rural highway	Multi-lane rural highway	Expressway	Arterial	Collector
A	700	120	470	720	450	300
B	1,100	240	945	840	525	350
C	1,550	395	1,285	960	600	400
D	1,850	675	1,585	1,080	675	450
E	2,000	1,145	1,800	1,200	750	500

Capacity per hour per lane for various highway facilities

Emissions of CO (Carbon Monoxide) are the primarily mobile-source criteria pollutant of local concern. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed and delay. Carbon monoxide transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). As a result, the SJVAPCP recommends analysis of CO emissions of at a local rather than regional level. Local CO concentrations at intersections projected to operate at level of service (LOS) D or better do not typically exceed national or state ambient air quality standards. In addition, non-signalized intersections located within areas having relatively low background concentrations do not typically have sufficient traffic volumes to warrant analysis of local CO concentrations.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - e) No Impact. The existing residence is served by an existing individual septic system and well.

(f - g) No Impact. The existing residence is served the Fairmead Landfill.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion:

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1)).
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2)).

- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

(a) No Impact. The proposed project is located on a parcel developed with residential and agricultural uses.

(b) Less Than Significant Impact with Mitigation. This proposal is serve the area's Sikh community. Mitigation measures are in place to alleviate the impacts to aesthetics and air quality due to temporary construction.

(c) Less Than Significant Impact with Mitigation. As mitigated, this project will have effects that are less than significant regarding water aesthetics and air quality.

**Documents/Organizations/Individuals Consulted
In Preparation of this
Initial Study**

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Madera County Environmental Health

Madera County Roads Department

Caltrans website http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm accessed October 31, 2008

California Department of Fish and Game "California Natural Diversity Database" <http://www.dfg.ca.gov/biogeodata/cnddb/>

Regional Water Quality Control Board, Sacramento Office.

Raymond Project Biological Assessment - ESR, dated June 8, 2006

Pumping Tests and Water Availability Report - Secor, dated May 21, 2007

Raymond Project - Traffic Impact Analysis, Alex Georgevich Consulting, dated June 2006

MITIGATED NEGATIVE DECLARATION

MND

RE: Conditional Use Permit #2012-022 – Nick Sahota (Gurdwara Parmeshar Church)

LOCATION AND DESCRIPTION OF PROJECT:

The application for a conditional use permit is to allow for the conversion of an existing single family dwelling to a religious facility.

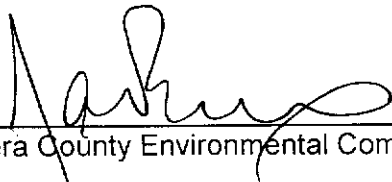
The proposal is located on the on the north side of Avenue 14, approximately 0.22 miles west of the intersection of Avenue 14 and Road 23 1/2 (23249 Avenue 14), Madera.

ENVIRONMENTAL IMPACT:

No adverse environmental impact is anticipated from this project. The following mitigation measures are included to avoid any potential impacts.

BASIS FOR NEGATIVE DECLARATION:

1. The proposed outdoor kitchen shall be shielded from the elements in aesthetically appealing manner approved by the Planning Department. The material use for shielding shall be neat and secure.
2. Any lighting shall be hooded and directed away from neighboring residences.
3. The applicant shall comply with San Joaquin Air Pollution Control District requirements.



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 2037 West Cleveland Avenue, Madera, California.

DATED: 12/10/12

FILED:

PROJECT APPROVED:

CONDITIONS OF APPROVAL

PROJECT NAME:

Sahota, Nick - Conditional Use Permit - Madera (045-081-013-000)

PROJECT LOCATION:

north side of Avenue 14, approximately 0.22 miles west of the intersection of Avenue 14 and Road 23 1/2 (23249 Avenue 14), Madera

PROJECT DESCRIPTION:

conversion of existing single family dwelling to religious facility

APPLICANT:

Sahota, Nick

CONTACT PERSON/TELEPHONE NUMBER:

(559) 891-8811

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Engineering					
1	Prior to the start of any construction projects, the applicant shall secure a Building Permit from the Engineering Department. All construction shall meet the standards of all applicable Codes. All plans must be prepared by a licensed architect or registered civil engineer.				
Environmental Health					
1	The septic disposal system for the proposed facility must be designed for maximum occupancy/use by a registered Environmental Health Specialist, Civil Engineer, or Geologist acceptable to this department.				
2	If the site is going to serve more than 25 people for 60 days per year then a public water system is required for this project.				
3	The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.				
Fire					
1	The proposed CUP will constitute a change in occupancy for the existing structure. Building permits will be required for approval.				
2	At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105.2)				
Planning					
1	The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.				
2	Any changes or alteration will require an amendment to the Conditional Use Permit.				
3	Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Planning Commission.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
4	Any proposed lighting shall be hooded and directed away from surrounding properties and roadways. Any security lighting utilized around the perimeter of the project site must utilize motion detection systems that only operate the lights when movement is detected.				
5	The western property line (front road right-of-way edge) must have a 6'-0" masonry block wall constructed per section 18.102.120.H.3 of the County Code. The five-foot parking setback between the wall and the parking area shall be landscaped.				
6	The site plan shall be corrected and approved by the Planning Department adding 10 additional parking space as required by section 18.102.040 of the County Code.				
7	The applicant must meet and work with Planning Department staff to provide an aesthetically appealing façade to the proposed building prior to building permit application.				
8	Comply with Mitigation Measures				
Road					
1	Prior to approval, the applicant is required to Grant Deed an additional 10'-0" strip of land abutting Avenue 14 into fee title ownership. The deed shall encompass the existing 30 foot easement to convey the total portion into fee title ownership.				
2	The driveway approaches shall be built to a Commercial County Standard.				
3	Prior to any construction within the right of way, the applicant is required to apply for and obtain an Encroachment Permit from the Road Department. Once this permit is secured, the applicant may commence with construction.				

No.	Condition	Department/ Agency	Initials	Date	Verification of Compliance Remarks

MITIGATION MONITORING REPORT

MND #

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	The proposed outdoor kitchen shall be shielded from the elements in aesthetically appealing manner approved by the Planning Department. The material use for shielding shall be neat and secure. Any lighting shall be hooded and directed away from neighboring residences.							
Agricultural Resources								
Air Quality								
	The applicant shall comply with San Joaquin Air Pollution Control District requirements.							
Biological Resources								
Cultural Resources								
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Noise							
	Population and Housing							
	Public Services							
	Recreation							
	Transportation and Traffic							
	Utilities and Service Systems							