

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: #8

CUP	#2012-025	Amending CUP to allow for smog check facility with minor repairs
APN	#049-271-025	Applicant: Paul DeRoi
CEQA	MND #2012-30	Owner: Robert Tarkanian
		Mitigated Negative Declaration

REQUEST:

The applicant is requesting an amendment to an existing Conditional Use Permit to allow for a smog check facility with minor repairs at an existing auto sales facility.

LOCATION:

The subject property is located west side of State Highway 41, approximately 520 feet north of its intersection with Avenue 11 (11116 Highway 41), Madera

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2012-30) (Exhibit O) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Staff recommends approval of Conditional Use Permit #2012-025 subject to conditions and Mitigated Negative Declaration MND #2012-30 and Mitigation Monitoring Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: CC (Community Commercial) Designation

SURROUNDING: CC (Community Commercial), VLDR (Very Low Density Residential), OS (Open Space)

ZONING (Exhibit B):

SITE: CRM/MHA (Commercial, Rural, Median) District with a Manufactured Housing Architectural Review Overlay

SURROUNDING: RRM/MHA (Residential, Rural, Multiple Family) District with a Manufactured Housing Architectural Review Overlay; ARV-20 (Agricultural, Rural, Valley – 20 Acre) District; ARE-40 (Agricultural Rural Exclusive – 40 Acre) District

LAND USE:

SITE: Auto sales with maintenance

SURROUNDING: North: vacant commercial; East: Highway 41 and agricultural land; South: commercial; West: residential

SIZE OF PROPERTY: 0.76 acres.

ACCESS (Exhibit A): Access to the site is via Business Route 41

BACKGROUND AND PRIOR ACTIONS:

In 2005, a Conditional Use Permit was approved to allow for a new/used auto dealership with maintenance allowed, but only on vehicles sold from the facility.

In 2009, a Code Enforcement violation for an illegal business, a vehicle rental operation, was processed. The Code Enforcement case is closed as the business is no longer on the parcel.

PROJECT DESCRIPTION:

The applicant is requesting a Conditional Use Permit to allow for a smog check facility on an existing new/used car sales site that has an existing maintenance facility. The maintenance facility currently is designated for vehicles sold from the operation only. The request is to expand to allow for smog checks to the public.

ORDINANCES/POLICIES:

Section 18.34 of the Madera County Zoning Ordinance outlines the uses and regulations of the CRM district and states that automobile repairing, overhauling, rebuilding, painting and servicing requires a conditional use permit.

Section 18.92 of the Madera County Zoning Ordinance outlines the procedures for obtaining Conditional Use Permits.

ANALYSIS:

The applicant is requesting an amendment to an existing Conditional Use Permit to allow the expansion of services at an existing new/used automobile sales and maintenance facility. The applicant wishes to expand services provided to include a smog check and repair facility open to the public.

No new construction is planned. A 2,400 square foot building is planned to be utilized as it already exists from the prior conditional use permit. No increase in trash or wastewater generation, or water usage is anticipated as a result of this project. By amending the existing Conditional Use Permit to allow for vehicles that were not sold on site to receive the services provided, it is anticipated that there will be an increase in vehicular traffic. While this increase is not expected to be significant, it is still an impact that is addressed in the environmental evaluation.

The 1995 General Plan designates the parcel "CC" (community commercial) which provides for auto service related activities. The subject parcel is zoned "CRM" (Commercial Rural Median) district which allows for automobile related services with a Conditional Use Permit. The Zoning and General Plan designations for this parcel are consistent with one another.

The project has been routed to California Highway Patrol, Sheriff's Office and Caltrans for comment. In addition, the Rolling Hills Citizens Association was routed for comment.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to make a finding of approval of this conditional use permit application. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following in light of the proposed conditions of approval.

1. *The proposed project does not violate the spirit or intent of the zoning ordinance in that pursuant to Section 18.34.010(c) of the Madera County Zoning Ordinance, the proposed use is allowed in the CRM Zone District subject to a conditional use permit.*
2. *The proposed project is not contrary to the public health, safety, or general welfare in that the facility will adhere to all conditions of approval and mitigations as approved as they relate to the operations.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors, in that the project must adhere to local and state health and building codes. In addition, any potential environmental impacts have been mitigated to a level of less than significant through mitigation measures as outlined by the mitigated negative declaration and conditions of approval for the conditional use permit.*
4. *The proposed project will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The proposed project is compatible with the nature of adjacent uses. The project is an existing operation and will have no adverse effect upon the property values and general desirability of the area or the County. The expansion will increase the capacity and allow the facility to better serve existing and future customers located in the surrounding area.*

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The general plan designates the site as CC (Community Commercial) which allows for similar uses as to that being proposed. The property is zoned CRM/MHA (Commercial,

Rural, Median) District with a Manufactured Housing Architectural Review Overlay. The proposed project is consistent, and will remain consistent upon completion, with both the County's General Plan and Zoning Ordinance.

RECOMMENDATION:

The analysis provided in this report supports approval of CUP #2012-025, Mitigated Negative Declaration MND #2012-30 and the Mitigation Measures Monitoring Program as presented.

CONDITIONS:

Engineering Department (Exhibit H)

1. None

Environmental Health Department (Exhibit I)

1. All construction and ongoing daily operations such as external PA systems, automatic outside lighting systems and out of the building auto repairs utilized by this business must be done in a manner that shall not allow or restrict any potential public nuisance(s) to occur to the surrounding residential areas.
2. These potential public nuisance(s) include, but are not limited to the following: External Noise(s), Outside Lighting, Offsite Litter, Odor(s), Vector(s), and/or Dust. This is accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal requisite and/or as determined by the Local Enforcement Authority (LEA), which is the MCEHD and any other county or state regulatory agency having jurisdiction.
3. The owners/operators of this facility must complete and submit a Business Activities Declaration Form with the CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials, like fuels onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility operation.
4. The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.

Fire Department

1. None

Planning Department

1. Facility to operate in accordance with submitted Operational Statement and plans unless otherwise modified by conditions of approval and mitigation measures of this application. All Mitigation Measures are a condition of approval.
2. Conditions of approval from CUP #2005-014 remain in effect.

**STAFF REPORT
CUP #2012-025**

January 8, 2013

Road Department (Exhibit J)

1. None

Caltrans (Exhibit K)

1. None

California Highway Patrol (CHP) (Exhibit L)

1. None

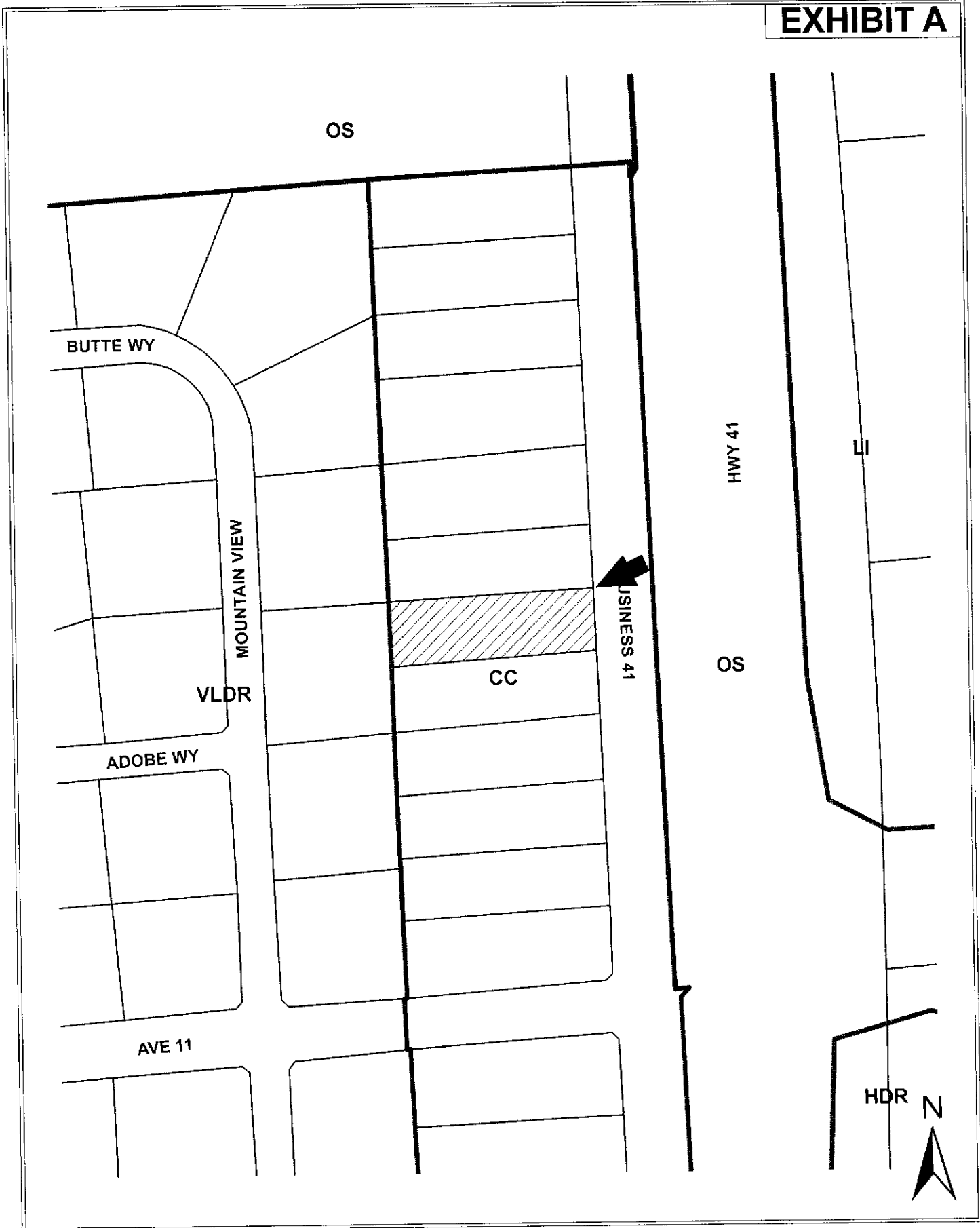
San Joaquin Valley Air Pollution Control (Exhibit M)

1. None

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Site Plan Map
5. Exhibit D-2, Facility Plan
6. Exhibit D-3, Facility Plan
7. Exhibit E, Aerial Map
8. Exhibit F, Topographical Map
9. Exhibit G, Operational Statement
10. Exhibit H, Engineering Department Comments
11. Exhibit I, Environmental Health Department Comments
12. Exhibit J, Roads Department Comments
13. Exhibit K, Caltrans Comments
14. Exhibit L, CHP Comments
15. Exhibit M, San Joaquin Valley Air Pollution Control District Comments
16. Exhibit N, CEQA Initial Study
17. Exhibit O, MND #2012-30
18. Exhibit P, Conditions of Approval Monitoring Program
19. Exhibit Q, Mitigation Measures Monitoring Program

EXHIBIT A



GENERAL PLAN MAP

EXHIBIT B



ZONING MAP

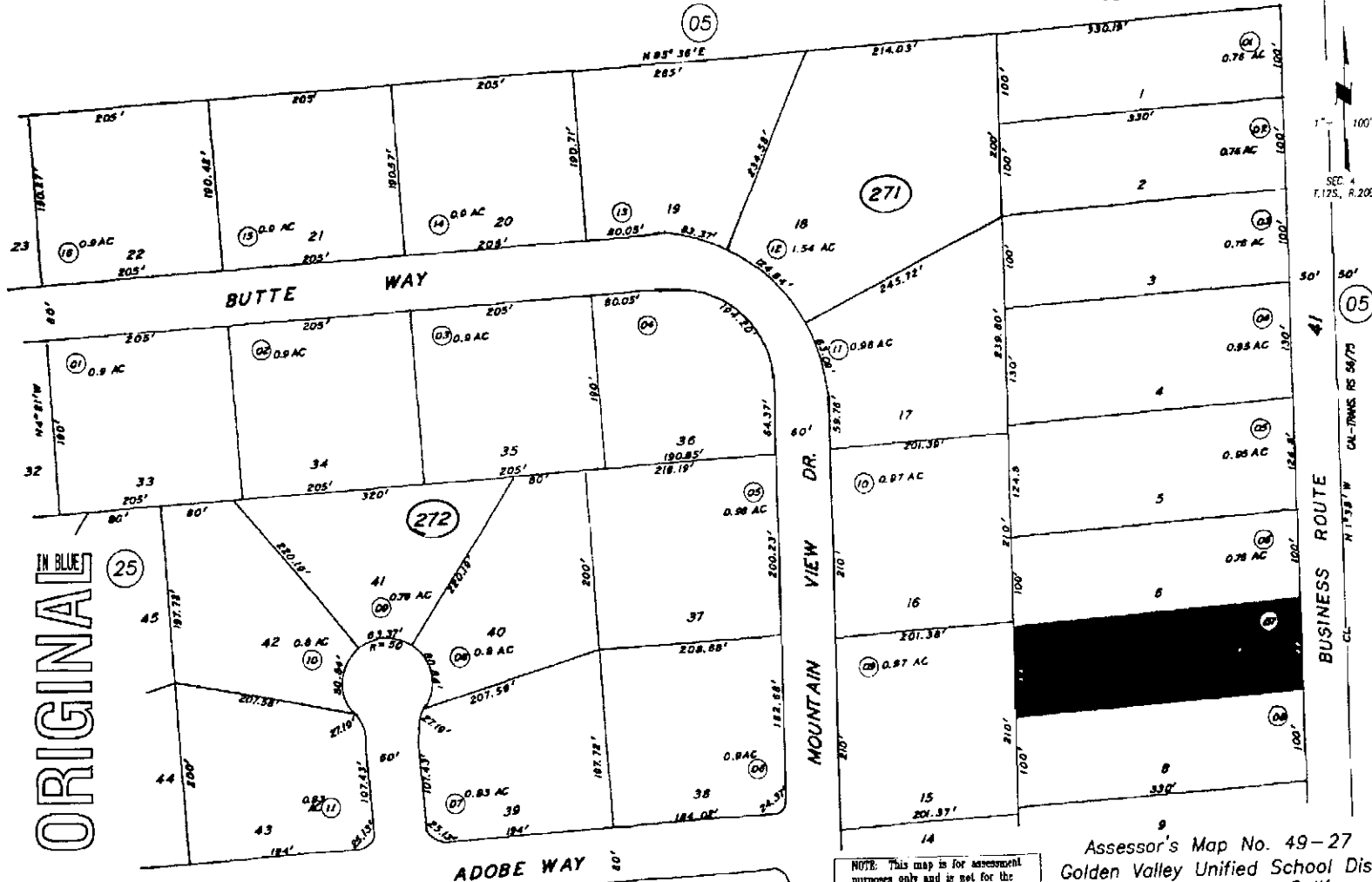
EXHIBIT C

ROLLING HILLS SUB.NO. 3

VOL. 8 PGS. 70 & 71

Tax Area Code
65-004

49-27



ORIGINAL IN BLUE

0726-1-14
3-11 DJL

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

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

Assessor's Map No. 49-27
Golden Valley Unified School Dist.
County of Madera, Calif.
1961

ASSESSOR'S MAP

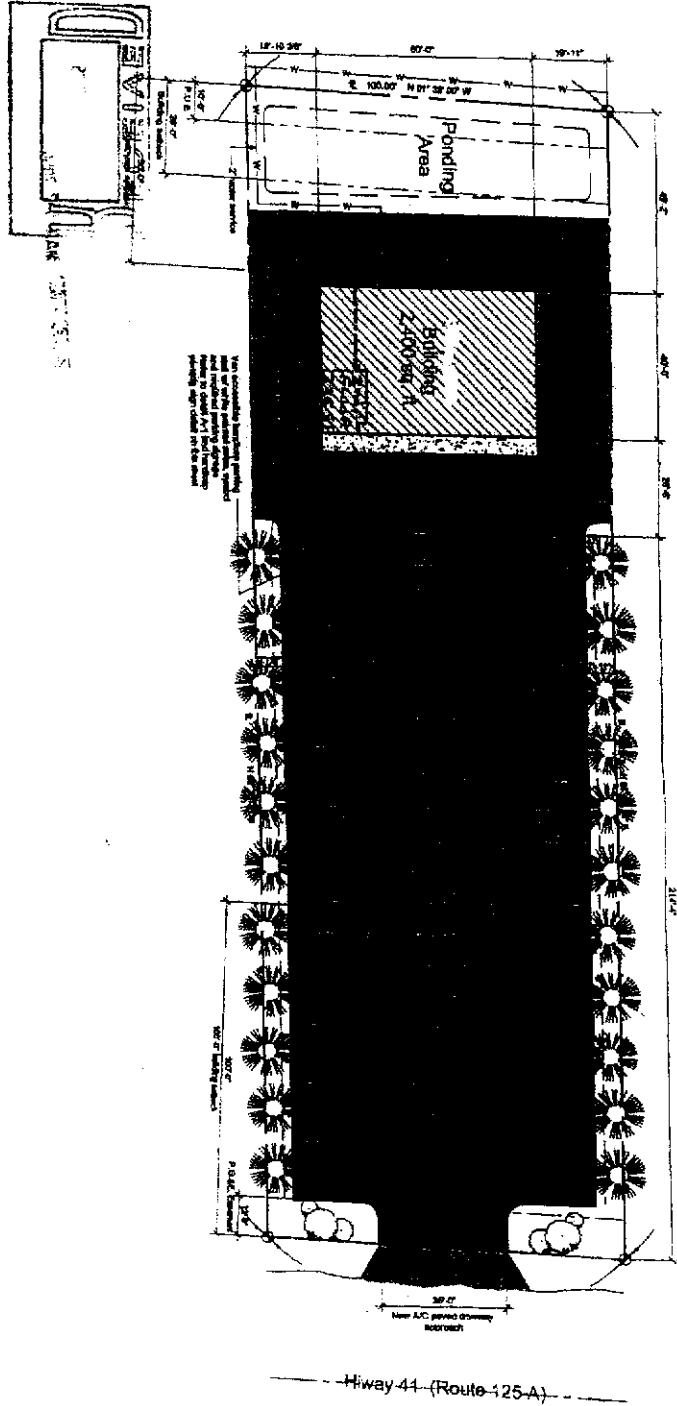
APN : 049-271-007

07-003 *Genwin*

Madera County Plot Plan

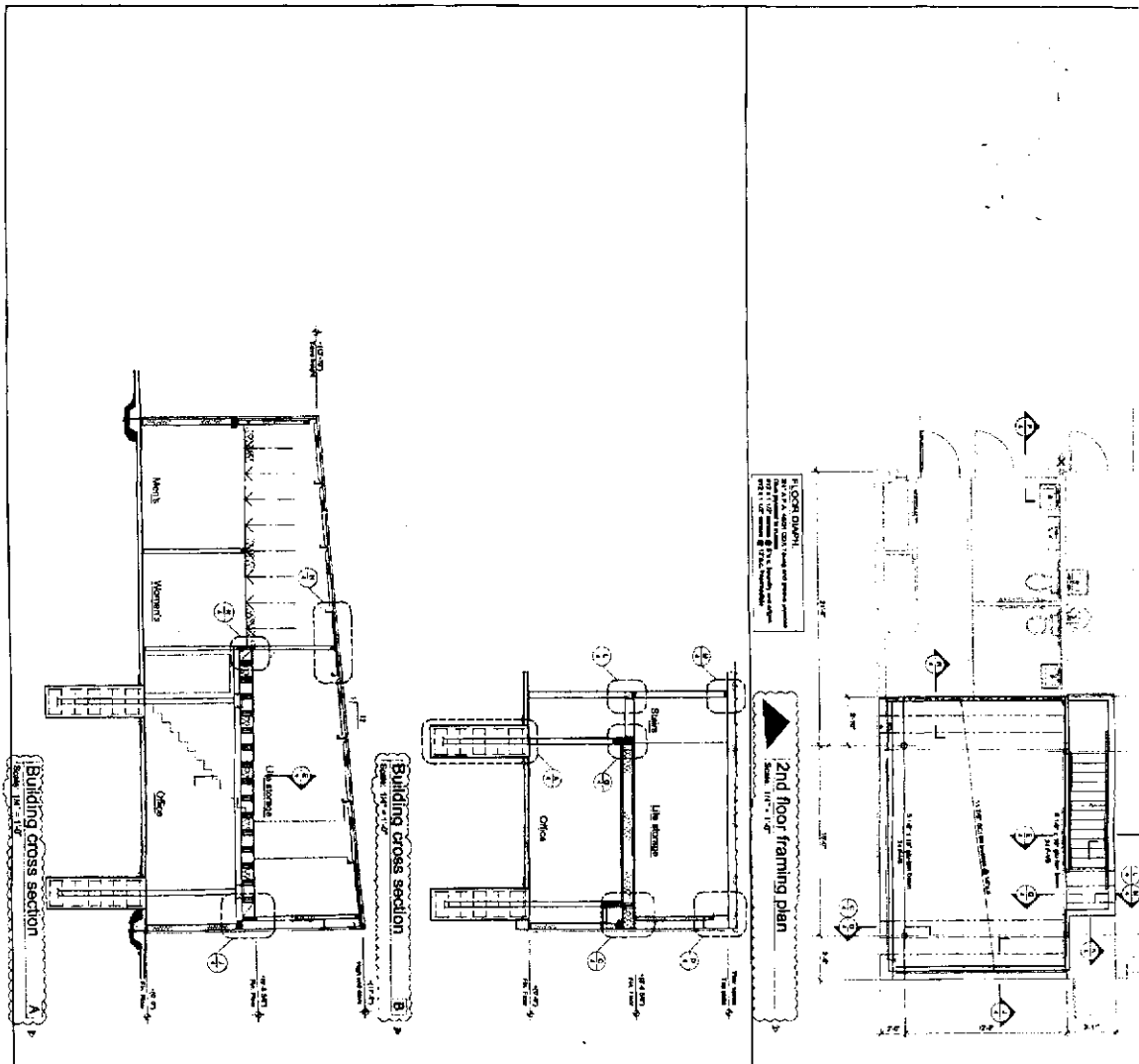
I declare under the penalty of perjury under the laws of the State of California that the foregoing and attached information forms are true and correct.
Signature: _____ Print name: _____ Date: _____

Scale: 1" = 30',0"



Hiway 44 (Route 125-A)


Site Plan



Foundation plan

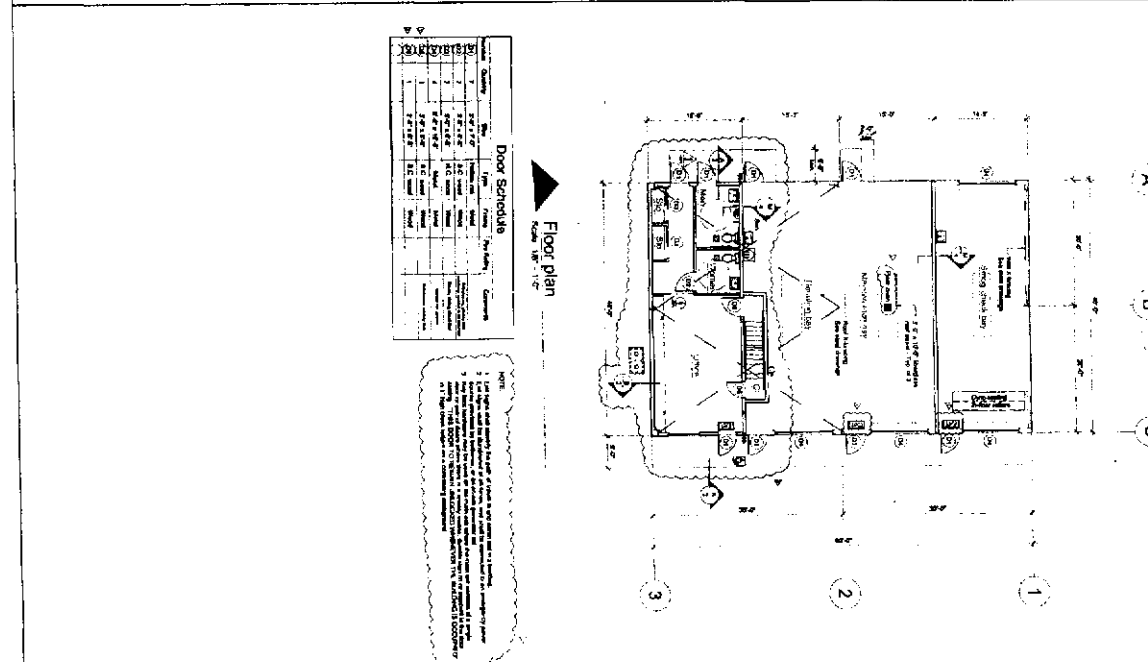
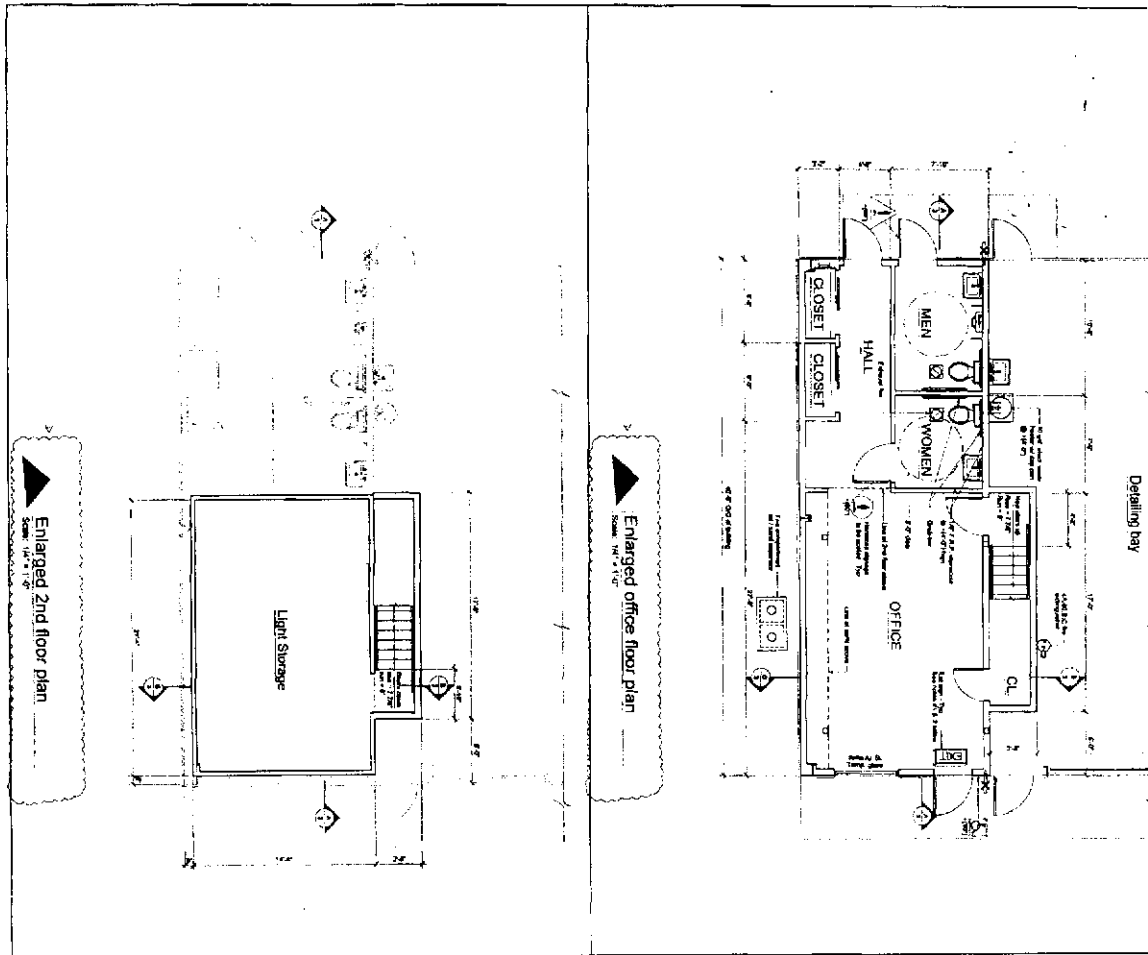
Scale: 1/8" = 1'-0"

Item	Qty	Unit	Description	Remarks
1	1	sq. ft.	Foundation Slab	10,200 sq. ft.
2	1	sq. ft.	Foundation Slab	10,200 sq. ft.
3	1	sq. ft.	Foundation Slab	10,200 sq. ft.
4	1	sq. ft.	Foundation Slab	10,200 sq. ft.
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48	1	sq. ft.	Foundation Slab	10,200 sq. ft.
49	1	sq. ft.	Foundation Slab	10,200 sq. ft.
50	1	sq. ft.	Foundation Slab	10,200 sq. ft.


STYLE-DINE Construction, Inc.
 General building contractors 1817 N. Main, #106 Telephone (339) 251-1797
 P.O. Box 95156 Davenport, IA 52809 FAX (339) 251-6920

Proposed auto dealership facilities for:
MOHAMMED-KARAM ZADEH
 1116 Economy Road Ct. Madison, Ga. 30601-2008

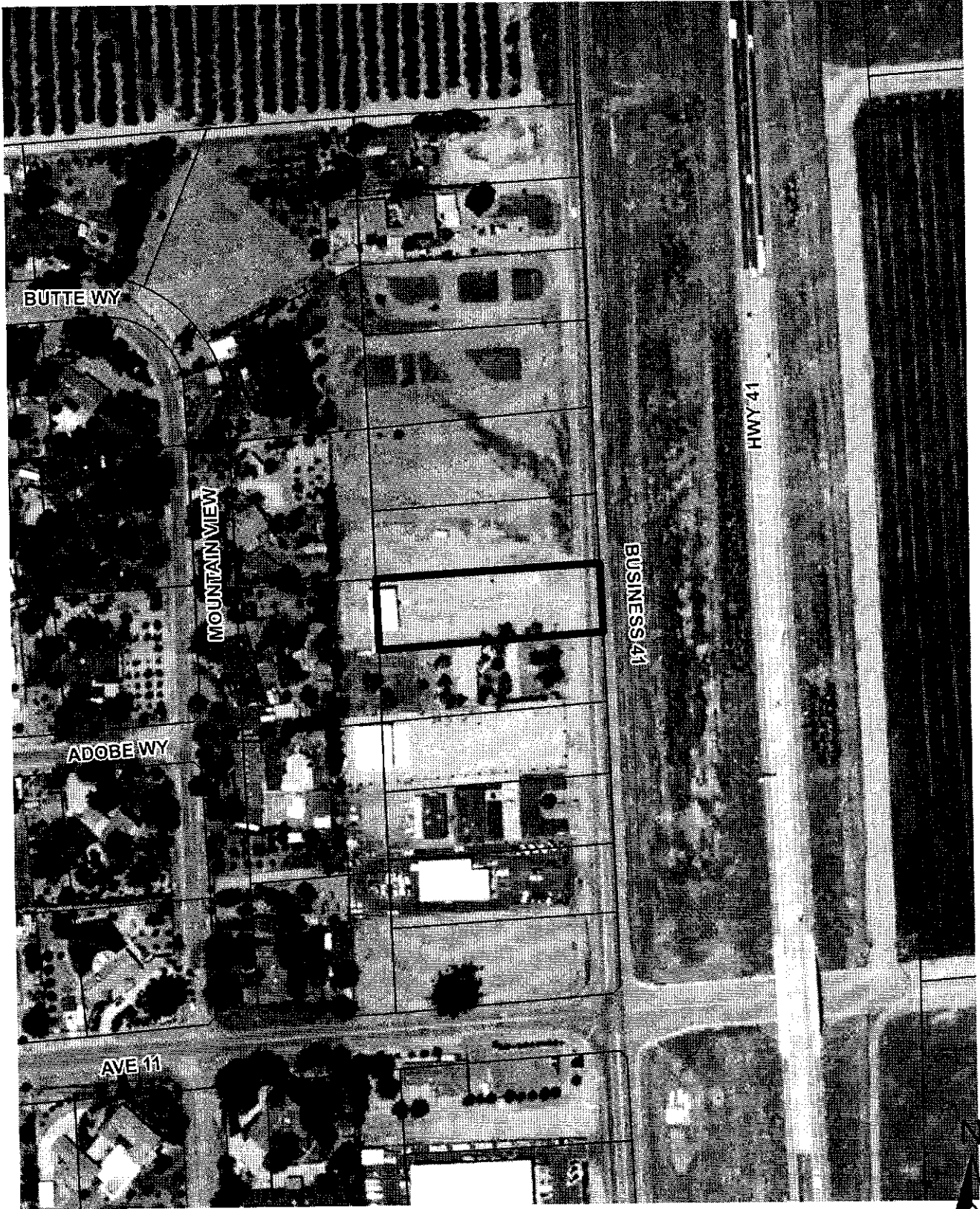
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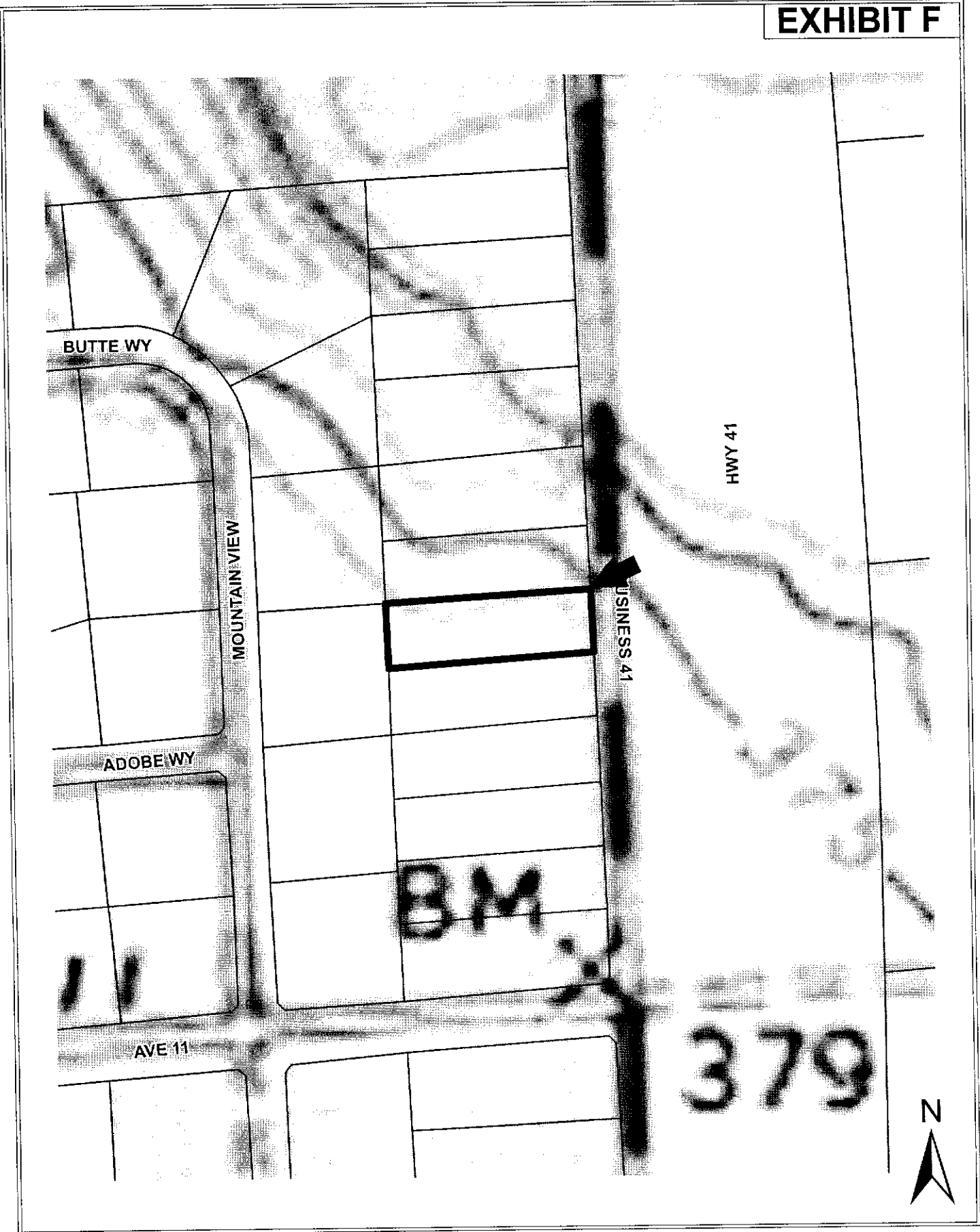
Proposed auto dealership facilities for: **MOHAMMED-KARAM ZADEH**

STYLE - LINE Construction, Inc.
 General Building Contractors
 1819 N. Main, #106
 Irvine, CA 92612
 Phone: (949) 251-1700
 Fax: (949) 251-9226

Sheet No. 2



AERIAL MAP



TOPOGRAPHICAL MAP

MADERA COUNTY PLANNING DEPARTMENT
2037 W. CLEVELAND AVENUE MS-G, MADERA CA 93637

OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your proposal. Your operational/environmental statement must be typed or written in a legible manner on a separate sheet(s) of paper. DO NOT SUBMIT THIS CHECKLIST AS YOUR STATEMENT.

1. Please provide the following information:
 - Assessors Parcel Number **049-271-007**
 - Applicants Name **Paul DE ROI**
 - Address **6638 N. 3rd St FRESNO**
 - Phone Number **(554) 917-3650 93710**
- NOTE: Your response to this operation statement must include:
 1. Each question as it appears on the form.
 2. Your complete answer to each question. Incomplete or illegible responses will not be accepted.
2. Describe the nature of your proposal/operation (please be specific).
SMOG RELATED REPAIR
3. What is the existing use of the property?
CAR DEALERSHIP W/IT MAINTENANCE FACILITY
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. **NONE**
5. What are the proposed operational time limits?
 - Months (if seasonal):
 - Days per week: **5**
 - Hours (from **9** to **5**):
 - Total hours per day:
8
6. Will there be any special activities or events?
 - Frequency: **NO**
 - Hours:
 - Are these activities indoors or outdoors?
N/A
7. How many customers or visitors are expected?
 - Average number per day: **3-5**
 - Maximum number per day:
 - What hours will customers/visitors be there?
9-5
8. How many employees will there be?
 - Current: **0**
 - Future: **3-5**
 - Hours they work: **9-5**
 - Do any live on-site? If so, in what capacity (i.e., caretaker)?
NO
9. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.
SMOG TEST EQUIPMENTS W/IT LIGHT REPAIR TOOLS
10. Will there be any service and deliver vehicles?
 - Number: **NO**
 - Type:
 - Frequency:
11. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.
60 STALS W/IT ASPHALT PAVED.
12. How will access be provided to the property/project? (Street name)
H'WAY 41 BUSINESS Rt.

13. Estimate the number and type (i.e., cars, trucks) of vehicular trips per day that will be generated by the proposed development. **3-5**
14. Describe any proposed advertising including size, appearance, and placement. **NO**
15. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate. **EXISTING BUILDING**
16. Is there any landscaping or fencing proposed? Describe type and location. **NO**
17. What are the surrounding land uses to the north, south, east, and west boundaries of the property?
18. Will this operation or equipment used generate noise above 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 (please be specific). **NONE**
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of? **NONE**
21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?
22. Will there be any grading? Tree removal? (please state the purpose, i.e., for roads, building pads, drainage, etc.) **NO**
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan. **NO**
24. Locate and show all bodies of water on application plot plan or attached map. **SEE ATTACHED MAP**
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan. **SEE MAP**
26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of? **NO**
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? **NO CHANGE**
29. How do you see this development impacting schools, parks, fire and police protection or special districts? **NO**
30. If your proposal is for commercial or industrial development, please complete the following:
 - Proposed Use(s)
 - Square Feet of Building Area(s)
 - Total Number of Employees
 - Building Height(s)
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**

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: Jerome Keene, Planning Department
FROM: Madera County
DATE: December 3, 2012
RE: Auto Care Economy - Conditional Use Permit - Madera (049-271-007-000)

Comments

Based on the operational statement and plot plan provided, the following was observed:

1. Property is not located in the Flood Plain.
2. Property is within service area SA19W, Rolling Hills. But will not required additional services.
3. No grading/drainage permit required, existing facility.

Please call Engineering should you have any questions.

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: Robert Mansfield
FROM: Madera County
DATE: December 3, 2012
RE: Auto Care Economy - Conditional Use Permit - Madera (049-271-007-000)

Comments

The Environmental Health Department has reviewed the Conditional Use Permit (CUP) #2012-025, Auto Care Economy, located on APN: 049-271-007, within the Madera area and has determined the following:

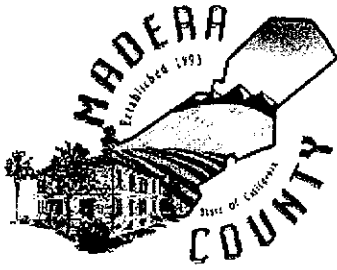
A rather large residential housing neighborhood exists just west of and adjoining this project location. Adjacent occupied home owners are the most adversely affected by any nuisances caused by even the most routine business operations within this type of project and its particular location to these populated areas. Because of this circumstance there is a much greater potential for public nuisances issues to occur between the adjacent neighborhood residents and businesses operated along this Business 41 roadway route located within this populated area of Madera County.

All construction and ongoing daily operations such as external PA systems, automatic outside lighting systems and out of the building auto repairs utilized by this business must be done in a manner that shall not allow or restrict any potential public nuisance(s) to occur to the surrounding residential areas. These potential public nuisance(s) include, but are not limited to the following: External Noise(s), Outside Lighting, Offsite Litter, Odor(s), Vector(s), and/or Dust. This is accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal requisite and/or as determined by the Local Enforcement Authority (LEA), which is the MCEHD and any other county or state regulatory agency having jurisdiction.

The owners/operators of this facility must complete and submit a Business Activities Declaration Form with the CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials, like fuels onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility operation.

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.



ROAD DEPARTMENT
COUNTY OF
MADERA

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

EXHIBIT J

JOHANNES HOEVERTSZ
Road Commissioner

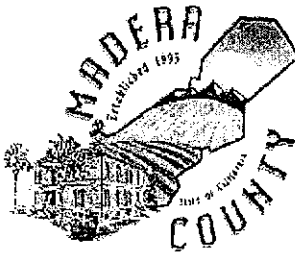
MEMORANDUM

TO: Robert Mansfield
FROM: Road Department
DATE: November 15, 2012
RE: Auto Care Economy - Conditional Use Permit - Madera (049-271-007-000)

COMMENTS -

Our department has no concerns with this proposal... this is Business Route 41, being the old Highway 41 alignment. This is still all Caltrans jurisdiction... there is a proposed relinquishment to happen which probably won't take place for quite some time due to issues with the old bridge crossing the San Joaquin River. The State is responsible for some upgrades to this structure and doesn't have the needed funding at this present time.

Mad-41-2.385

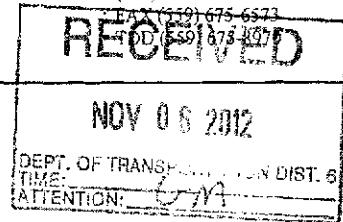


RESOURCE MANAGEMENT AGENCY

Planning Department

Norman Allinder, Planning Director

• 2037 W. Cleveland Avenue
• Madera, CA 93637
• (559) 675-7821



PROJECT REVIEW REQUEST

DATE: November 05, 2012

Community Advisory Councils

- Ahwahnee Community Council
- Coarsegold Area Plan Committee

- North Fork Community Development Council
- Oakhurst Community Advisory Council

Review Agencies

- Madera County Agricultural Commissioner
- Madera County Sheriff's Office
- City of Chowchilla Planning Department
- City of Madera Planning Department
- California Department of Fish and Game
- California Department of Housing
- California Department of Transportation (CALTRANS)
- California Department of Water Resources
- California Regional Water Quality Control Board
- California Department of Conservation
- California Division of Mines and Geology
- California Division of Oil and Gas
- San Joaquin Valley Unified Air Pollution Control District
- Archaeological Information Center - Bakersfield
- Other: Frank Bigelow, CHP

Homeowners Associations

- Bass Lake Homeowners Assn
- Bonadelle Ranchos #5
- Bonadelle Ranchos Neighborhood Committee
- Cascadel Homeowners Assn
- Goldside Estates
- Hidden Lake Estates Homeowners Assn
- Indian Lakes Estates Property Owner Assn
- Lake Shore Park Subdivisor
- Madera Ranchos Neighborhood Committee
- Pierce Lake Estates
- Pines Civic Council
- Rolling Hills Citizens Assn
- Sumner Hill Homeowners Assn
- Yosemite Lakes Park Owner Assn

RETURN TO:

ROBERT MANSFIELD, Planning Department
2037 W. Cleveland Avenue
Madera, CA 93637
Phone: (559) 675-7821

No Comment
11/7/12
[Signature]

REGARDING:

CUP #2012-025, Auto Care Economy - Conditional Use Permit - Madera (049-271-007-000)

The request consists of a conditional use permit to allow to amend existing CUP to allow for smog check and repair facility.

The attached application is being forwarded to you for your agency's review and comment. Please complete the attached Development Review form and return it to us prior to: November 19, 2012. If we do not receive comments from your Agency prior to this date, we will assume that your Agency has no comments to offer. This application will be reviewed by the Madera County Development Review Committee Dec 12, 2012.

PLEASE ATTACH A COPY OF THIS COVER SHEET TO THE FRONT OF YOUR COMMENTS

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Madera Area
3051 Airport Drive
Madera, CA 93637-8709
(559) 675-1025
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



November 13, 2012
File No.: 450.11396.13669

Robert Mansfield
Madera County
Resource Management Agency
2037 W. Cleveland Avenue
Madera, CA 93637

RE: Auto Care Economy – Conditional Use Permit – Madera (049-271-007-000)

Mr. Robert Mansfield

Staff at the Madera office of the California Highway Patrol (CHP) has reviewed the Project Review Request regarding the proposed Auto Care Economy – Conditional Use Permit – Madera (049-271-007-000).

The CHP, Madera Area, is the primary agency providing traffic law enforcement, traffic safety, and traffic management of the unincorporated areas, within the eastern and southern portions of Madera County. After a thorough review of this document, we offer the following comments:

The proposed new project area is located within the jurisdictional responsibility of the CHP Madera Area office. According to the information received, the CHP believes there will be a minimal increase in vehicular traffic as a result of this project. Mostly, there will be a small increase of traffic patterns near and around the development. No changes in CHP duties are anticipated since there will only be a small increase in vehicular traffic.

Should there be questions regarding these comments, please contact me at (559) 675-1025.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Paris".

D. PARIS, Lieutenant
Commander
Madera Area

cc: Special Projects Section – CHP
Central Division – CHP



Robert Mansfield

From: Debbie Johnson [Debbie.Johnson@valleyair.org]
Sent: Tuesday, December 11, 2012 10:25 AM
To: Robert Mansfield
Subject: CUP #2012-025 Auto Care Economy

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project and has no comments to offer at this time.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. To identify District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found at www.valleyair.org/rules/1ruleslist.htm.

If you have any questions or require further information, please call the District at (559) 230-6000 and ask to speak to the ISR/CEQA group.

Environmental Checklist Form

Title of Proposal: CUP #2012-025 – Paul DeRoi/Auto Care Economy

Date Checklist Submitted: December 13, 2012

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Robert Mansfield, AICP, Planner III

Phone: (559) 675-7821

Description of Project:

To amend existing Conditional Use Permit to allow for smog check and repair facility for vehicles not sold at the site.

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 subject parcel is located on the west side of State Highway 41, approximately 520 feet north of its intersection with Avenue 11 (11116 Highway 41), Madera

Applicant Name and Address:

Auto Care Economy
266 North Abby
Fresno, CA 93701

General Plan Designation:

CC (Community Commercial)

Zoning Designation:

CRM/MHA (Commercial, Rural, Median) District with a Manufactured Housing Architectural Review Overlay

Surrounding Land Uses and Setting:

RRM/MHA (Residential, Rural, Multiple Family) District with a Manufactured Housing Architectural Review Overlay; ARV-20 (Agricultural, Rural, Valley – 20 Acre) District; ARE-40 (Agricultural Rural Exclusive – 40 Acre) District

North: Vacant; South: Commercial; East: Highway 41; West: 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.

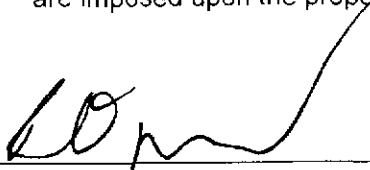
- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <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

12-13-12

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - d) *No Impact.* The existing facility will be utilized for this operation and no new construction will occur. No impacts have been identified as a result of this project. No new lights will be installed.

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 measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - e) *No Impact.* This project is on an already developed piece of property that is zoned commercial. No agricultural or forest resources will be impacted as a result of the project.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - c) Less than Significant Impact. There is an anticipated minimal increase in vehicular trips to the facility with the approval of the Conditional Use Permit, allowing for the smog inspection station for vehicles not sold at the facility. This will have a minimal increase in the impact to the general location. As this facility is adjacent to State Route (SR) 41 which has a significant amount of traffic already, the minimal increase of traffic at this location will be minimal.

(d - e) Less than Significant with Mitigation Incorporation. There is a residential neighborhood to the west of this project site. While the sales operation, along with the maintenance facility for those vehicles sold at the site exclusively, was approved previously, there have been no known complaints of emission related complaints. The area is flanked to the east by Highway 41 which is a busy north-south corridor. With the potential increase in business by allowing "outside" vehicles (vehicles not sold at the business) to come to the facility, there is expected to be a minimal increase, in light of the whole, of vehicular traffic to and from the business. Due to the nature of the business, there is the potential that vehicles may sit idling for periods of time, especially during the smog check processes. This has the potential of impacting the air quality at the local level. Odors may also be emitted from the area, especially if diesel engines are a part of the inventory being worked on in the shop.

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, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - f) No Impact. The project site and, for the majority, its' surroundings have been either developed or graded in preparation of future development. The surrounding uses to this project site includes residential and a State Highway (Rolling Hills and SR-41 Respectively). The potential of impacts to the species listed below is less than likely given the development on and around the site.

There is no new development or land disturbance planned or anticipated for this specific site as a result of this project.

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	None
Western Spadefoot	None	None	SSC	None
Burrowing Owl	None	None	SSC	None
California Horned lark	None	None	WL	None
Hardhead	None	None	SSC	None
San Joaquin Pocket Mouse	None	None	None	None
Northern Hardpan Vernal Pool	None	None	None	None
Northern Claypan Vernal Pool	None	None	None	None
Great Valley Mixed Riparian Forest	None	None	None	None
Vernal Pool Fairy Shrimp	Threatened	None	None	None
California Linderiella	None	None	None	None
Valley Elderberry Longhorn Beetle	Threatened	None	None	None
Molestan Blister Beetle	None	None	None	None
Spiny-Sepaled Button-Celery	None	None	None	1B.2
Succulent Owl's-Clover	Threatened	Endangered	None	1B.2
Hairy Orcutt Grass	Endangered	Endangered	None	1B.1
San Joaquin Valley Orcutt Grass	Threatened	Endangered	None	1B.1

Lanes Bridge Quadrangle

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.

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 \$2,156.50, 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 \$2,206.50 (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 site is already developed. No new development is proposed as a result of this project.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 i-iii) *Less than Significant Impact*. 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

conductive 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.

(a – iv) No Impact. The terrain of the project site is relatively flat and does not lend itself to significant, if any, landslide events. Additionally, the facility itself, and most of its surroundings, are paved which does not lend itself to landslide events.

(b) Less than Significant Impact. The site is already developed, including structures and impervious surfaces. No new construction is anticipated. This construction would lend to diversion of rainfall to other locations, which could potentially effect erosion where either previously never occurred or were in lesser impacts.

(c - e) No Impact. No impacts have been identified as a result of this project.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - b) Less than Significant. While there is an anticipation of increased traffic to this location as a result of this project, that increase is not anticipated to impact or generate greenhouse gas generation. It is anticipated that with the smog check facility that greenhouse gas emissions from vehicles could be potentially reduced. While it is anticipated that this reduction is not significant in light of the whole picture, the reductions are cumulative.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 - c) *Less than Significant with Mitigation Incorporation.* The facility is a vehicle maintenance facility which by its very nature has hazardous materials and hazardous wastes (oil and antifreeze both in "new" (unused) states, and used (ready for proper disposal) states). While the smog station expansion technically does not generate hazardous waste, nor does it use hazardous materials by the testing system utilized, if any repairs were to be conducted as a result of that testing to bring the vehicle into compliance, potential use of materials and generation of waste could occur.

With mitigations, this impact can be reduced to a less than significant impact.

(d) *No Impact* No impacts have been identified as a result of this process.

(e - f) *No Impact.* While this project is located in an Airport/Airspace Overlay area, the project itself already exists and has no equipment or processes that could potentially interfere with flights or flight patterns.

(g - h) *No Impact.* No impacts identified as a result of this project.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 & f) *Less than Significant with Mitigation Incorporation.* With an auto maintenance facility, the chances of dripping oil pans and radiators (antifreeze) on the ground being washed into areas not meant for such activities (through rainfall or negligence) is of concern. Spills also do occur typically by accident. With proper mitigations, this impact can be reduced to less than significant.

(b) *No Impact.* No impacts have been identified as a result of this project.

(c - e) *Less than Significant Impact.* No new construction is proposed as a result of this project. The current structure has the potential of altering rainwater drainage patterns.

(g) *No Impact.* No housing is proposed as a result of this project. No new construction is proposed for this project.

(h - i) *No Impact*. No impacts have been identified as a result of this project.

(j) *No Impact*. 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*. No impacts have been identified as a result of this project.

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 - b) *No Impact*. No impacts have been identified as a result of this project.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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, c & d) Less than Significant with Mitigation Incorporation. The operation of this facility is a smog check/repair type facility. This will generate some noise, while not substantial in light of the whole that will be above the ambient levels of the surrounding neighborhood. This increase will only be during normal business hours. With mitigations, this impact can be reduced to a level of less than significant,

(b, e & f) No Impact. While this project is located within an airport/airspace overlay district which restricts certain activities that would interfere with the normal operation of airplanes, this project in and of itself does not lend to such issues. No new construction is anticipated, so no cautions will need to be added and no mitigations related to the overlay district will need to be added.

The nature of the operations on site will not generate groundborne vibrations. There will be no new construction, thus no vibrations caused as a result.

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) No Impact. The project as mitigated would not result in substantial population growth, and would not displace existing housing or people.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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) *Less than Significant with Mitigation Incorporation.* With automobile repair type facilities, there is the potential of combustion sources (i.e. oil soaked rags that could, under certain circumstances, spontaneously combust) existing. With proper mitigation, this can be reduced to less than significant.

(a - ii) *Less than Significant.* With vehicles, the potential of either parts theft or whole vehicle thefts is considerable. With mitigation incorporation, these impacts can be less than significant. Incidental need for law enforcement may be needed for instances of vandalism.

(a-iii - v) *No Impact.* No impacts have been identified as a result of this project.

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 impacts have been identified as a result of this project.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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) *Less than Significant with Mitigation Incorporation.* As there will be a potential increase in business on the property as a result of this project, there is a potential of impact to the local circulation in the area. With mitigation, this can be reduced to a level of less than significance.

(b) *Less than Significant Impact.* It is anticipated that there will be a slight increase in vehicular traffic as a result of the smog check station. This could interfere with the policies, but the impact will be minimal in light of the whole.

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.

(c – d) No Impact. No impacts have been identified as a result of this project.

(e) Less than Significant Impact. There is a service gate at the front of the parcel (fronting Business Route 41) which could hamper emergency response in the event of fire after hours. Additionally, depending on the placement of vehicles, emergency equipment potentially could have problems maneuvering into position. With mitigation, this impact can be lessened to less than significant.

(f) No Impact. No impacts identified as a result of this project.

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 - g) *No Impact.* No impacts have been identified as a result of this project.

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 type="checkbox"/>	<input checked="" 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 – c) *No Impact*. While there are impacts identified, their effects will be minimal and mitigatable.

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

Madera County General Plan

California Department of Finance

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/>

MITIGATED NEGATIVE DECLARATION

MND

RE: Conditional Use Permit #2012-025 – Paul DeRoi/Auto Care Economy

LOCATION AND DESCRIPTION OF PROJECT:

The subject parcel is located on the west side of State Highway 41, approximately 520 feet north of its intersection with Avenue 11 (11116 Highway 41), Madera

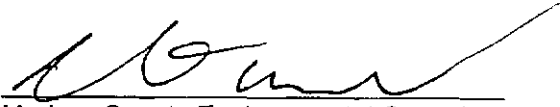
To amend existing Conditional Use Permit to allow for smog check and repair facility for vehicles not sold at the site

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. No vehicles shall idle for more than 15 minutes so as to reduce the amount of emissions from the site.
2. All hazardous materials are to be handled, stored and disposed of in accordance with Material Safety Data Sheet instructions and industry specifications.
3. Employees are to have appropriate training for safe handling of all hazardous materials.
4. No washing down of facilities with water shall occur so as to prevent runoff of hazardous materials (i.e. oil, antifreeze, etc.).
5. Facility shall operate within Madera County Noise Ordinance.
6. Provide for best housekeeping practices to reduce and prevent ignition and spread of fire.
7. Any gates utilized by the facility will have a Madera County Fire Marshal approved Knox Box available for access to the site after hours should an emergency occur.
8. All parking shall occur on the parcel itself, and no parking shall occur on the side of the road.

A handwritten signature in black ink, appearing to be 'A. Brown', written over a horizontal line.

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: December 13, 2012

FILED:

PROJECT APPROVED:

CONDITIONS OF APPROVAL

EXHIBIT P

PROJECT NAME:
PROJECT LOCATION:
PROJECT DESCRIPTION:

CUP #2012-025 Auto Care Economy
west side of Highway 41, approximately 520 feet north of Avenue 11
smog check center

APPLICANT:
CONTACT PERSON/TELEPHONE NUMBER:

Auto Care Economy

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Engineering					
	None				
Environmental Health					
	All construction and ongoing daily operations such as external PA systems, automatic outside lighting systems and out of the building auto repairs utilized by this business must be done in a manner that shall not allow or restrict any potential public nuisance(s) to occur to the surrounding residential areas.	Environmental Health			
	These potential public nuisance(s) include, but are not limited to the following: External Noise(s), Outside Lighting, Offsite Litter, Odor(s), Vector(s), and/or Dust. This is accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal requisite and/or as determined by the Local Enforcement Authority (LEA), which is the MCEHD and any other county or state regulatory agency having jurisdiction.	Environmental Health			
	The owners/operators of this facility must complete and submit a Business Activities Declaration Form with the CUPA Program within this department before onset of construction activities. This is to report storage of hazardous materials, like fuels onsite at this location. Other related permit(s) may be required due to the possible storage/handling of reportable quantities of hazardous materials onsite or for the storage of any amount of hazardous waste onsite at any time prior to facility operation.	Environmental Health			
	The owner/operator must obtain all the necessary Environmental Health Dept. permits prior to any construction activities on site.	Environmental Health			
Fire					
	none				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Planning					
1	Facility to operate in accordance with submitted Operational Statement and plans unless otherwise modified by conditions of approval and mitigation measures of this application. Mitigation measures are conditions of approval.	Planning			
2	Conditions of approval from CUP #2005-014 remain in effect.	Planning			
Road	None				

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

MITIGATION MONITORING REPORT

EXHIBIT Q

MND # 2012-30

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	None							
Agricultural Resources								
	None							
Air Quality								
	No vehicles shall idle for more than 15 minutes	Operational		Planning				
Biological Resources								
	None							
Cultural Resources								
	None							
Geology and Soils								
	None							
Hazards and Hazardous Materials								
	All hazardous materials are to be handled, stored and disposed of in accordance with Material Safety Data Sheet instructions and industry specifications	Operations	Environmental Health	Environmental Health				
	Employees are to have appropriate training for safe handling of all hazardous materials		Environmental Health	Environmental Health				
Hydrology and Water Quality								
	No washing down of facilities with water shall occur	Operations	Environmental Health	Environmental Health				
Land Use and Planning								
	None							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Mineral Resources								
	None							
Noise								
Population and Housing								
Public Services								
	Provide for best housekeeping practices to reduce and prevent ignition and spread of fire.	Operations	Fire Marshall	Planning and Fire Marshall				
	Any gates utilized by the facility will have a Madera County Fire Marshal approved Knox Box available for access to the site after hours should an emergency occur	Operations	Fire Marshall	Planning and Fire Marshall				
Recreation								
Transportation and Traffic								
	All parking shall occur on the parcel itself, and no parking shall occur on the side of the road.	Operations	Planning	Planning				
Utilities and Service Systems								