



## Community and Economic Development Planning Division

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**PLANNING COMMISSION DATE:** March 1, 2022

**AGENDA ITEM:** #1

<b>CUP</b>	<b>#2021-026</b>	<b>Multi-family dwelling in a commercial zone district</b>
<b>APN</b>	<b>#053-203-002</b>	<b>Applicant/Owner: Davis, Bruce</b>
<b>CEQA</b>	<b>ND #2022-01</b>	<b>Negative Declaration</b>

**REQUEST:**

The applicant is requesting Conditional Use Permit #2021-026 to allow the construction of a multi-family dwelling in a CRM (Commercial Rural Median) District.

**LOCATION:**

The parcel is located on the southwest corner of the intersection of Road 600 and North Street (32236 Road 600) Raymond.

**ENVIRONMENTAL ASSESSMENT:**

A Negative Declaration (ND #2022-01) (Exhibit M) has been prepared and is subject to approval by the Planning Commission.



**RECOMMENDATION:** Approval of Conditional Use Permit #2021-026 subject to conditions, Findings of Fact and Negative Declaration #2022-01.

**GENERAL PLAN DESIGNATION (Exhibit A):**

**SITE:** MUR (Mixed Use Residential) Designation

**SURROUNDING:** MUR (Mixed Use Residential) Designation; HDR (High Density Residential) Designation

**AREA PLAN DESIGNATION (Exhibit A-1):**

**SITE:** MUR (Mixed Use Residential) Designation

**SURROUNDING:** MUR (Mixed Use Residential) Designation; HDR (High Density Residential) Designation

**ZONING (Exhibit B):**

**SITE:** CRM (Commercial, Rural, Median) District

**SURROUNDING:** CRM (Commercial, Rural, Median) District; CRG (Commercial, Rural, General) District; RRM (Residential, Rural, Multi-family) District

**LAND USE:**

**SITE:** Residential

**SURROUNDING:** Commercial; Residential

**SIZE OF PROPERTY:** 0.18 Acre

**ACCESS (Exhibit D):** The property is accessed by North Street.

**BACKGROUND AND PRIOR ACTIONS:**

Parcel is in the Town of Raymond, Lot 9, Block 10.

**PROJECT DESCRIPTION:**

This is a request for a Conditional Use Permit to allow a 2,348 square foot, three-unit, multi-family dwelling in a CRM (Commercial, Rural, Median) zone district. The property is owned by Bruce and Perscilla Davis and is located on the southwest corner of the intersection of Road 600 and North Street (32236 Road 600) Raymond. The project site will be accessed via North Steet.

The parcel is currently vacant and has been used for residential purposes previously. Per the applicant there was a structure on the parcel that was originally used in the 1890's as a boarding house. That same structure was later

used as a residence that has since been demolished. The project site is surrounded by a mix of commercial and residential use.

The proposed construction of a small multi-family structure is expected to result in a needed benefit in the community of Raymond. The applicant has had discussions with members of the community and the project has been received favorably.

**ORDINANCES/POLICIES:**

Chapter 18.34 of the Madera County Zoning Ordinance outlines the permitted uses within the CRM (Commercial, Rural, Median) District.

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of conditional use permits.

Part 1 of the Madera County General Plan outlines the General Plan designations.

Raymond Area Plan outlines the MUR (Mixed Use Residential) designation for the community of Raymond and refines the goals of the County's General Plan and provides more detailed guidance for future growth and development in the Raymond community of Eastern Madera County.

**ANALYSIS:**

There is a current shortage of affordable rental units in the County. The proposed 2,348 square foot, three-unit, multi-family dwelling is expected to benefit the community of Raymond. The proposed residence will encompass almost the exact footprint of the previous structure. The proposed dwelling can be leased to one, two or three individual lessees. The structure will include three entrances, three bedrooms, three bathrooms and three kitchens. The applicant's goal is to replace the original use and benefit the community by providing living options that may not be available elsewhere in Raymond such as multi-generational and tiny living. A condition has been added that the rental units will not be used for short-term rentals (less than 30 days).

The project will slightly increase traffic in the area for the duration of construction and once built. The vehicular traffic to the project is not anticipated to generate a significant level of pollutants. The three small residential units included in the project are expected to have a maximum of 1 to 2 vehicles per unit. As Raymond is a rural location an average maximum of two trips per day per unit calculate to a maximum of 12 vehicle trips per day. The project was circulated to the San Joaquin Valley Air Pollution Control District and no comments were received.

The project is anticipated to utilize 75 gallons of water per day which will be supplied by American Water. A new septic is proposed, and 75 gallons of daily wastewater is anticipated. Solid waste collection with sorting for recyclables and garbage is required and the area is served by Emadco for solid waste pick-up.

While the area may be prone to wildfires, the project itself is not seen as an impact. The small three unit proposed structure is anticipated to require minimal services for fire and police protection. If an incident were to occur, the parcel is located within 0.5 mile of a fire station and emergency vehicles would be able to respond to an incident quickly. Road 600 is designated as arterial with 80' wide road right of way (R/W) or 40' wide on each side of the road centerline. Currently there is an existing 25' of road R/W on the west side of Road 600. The applicant will be required to convey by offer of dedication in fee, a fifteen-foot-wide strip along the west side of Road 600 for road purposes and to satisfy the designated road classification.

The project is within the Raymond Knowles Union School District. The development of residential buildings will be required to pay School District Impact Fees to offset potential impacts of the development.

Ambulance and paramedic service within the community is provided by Sierra Ambulance. Emergency medical care services are privately provided from commercial facilities in Madera, and 24-hour emergency treatment is available at Madera Community Hospital and Valley Children's Hospital.

The General Plan designation of MUR (Mixed Use Core Rural) allows for a variety of uses, including residential, commercial, office and public and quazi-public uses. Allowable uses are attached single family homes, multiple family units, retail, restaurants, services, commercial recreation, administrative and reflects the historical development of commercial corridors. Residential densities shall range from 1 to 20 units per acre. The Raymond Area Plan mimics the General Plan designation. The zoning designation of CRM (Commercial, Rural, General) District allows for a multiple family dwelling in a permanent structure with an approved conditional use permit. The proposal will not conflict with applicable land use (zoning) or with the General Plan (once approved).

The project was circulated to County Departments and outside regulatory agencies for comments and conditions. This included the San Joaquin Valley Air Pollution Control District, Regional Water Quality Control, Department of Fish and Wildlife, State Regional Water Quality Control, the Chowchilla Yokuts Tribe, Picayune Rancheria of Chukchansi, Table Mountain Rancheria, the Duma Tribe, and Sheriff's Department. Comments were received from the Environmental Health Division, Building and Fire Safety Division, Public Works Department, and

Caltrans (California Department of Transportation). Caltrans had no concerns with the project.

The Department of Fish and Wildlife did not respond with comments on the project. A review of their database of species did indicate species potentially being present in the quadrangle in which the project is located. This indication does not imply that said species are or were occurring on the project site. It is not anticipated that any problems will exist because of migration of any species because of this project.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,598.00 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,548.00 Department of Fish and Wildlife fee that took effect January 1, 2022, and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit.

**FINDINGS OF FACT:**

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following:

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance.* The zoning designation of CRM (Commercial, Rural, General) District allows for a multiple family dwelling in a permanent structure with an approved conditional use permit.
2. *The proposed project is not contrary to the public health, safety, or general welfare.* The increase in affordable housing in the area is beneficial to the community. During construction phase there may be additional activity to the project site. This activity is temporary and not anticipated to be contrary to public health, safety, or general welfare of the community. Once the construction is completed there is anticipated to be a negligible effect on public health, safety, or general welfare.
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors.* The project must adhere to the conditions of approval and local and state health and building codes. There may be a temporary increase in activity during the construction of the proposed dwelling units. However, any

impact from construction activities is anticipated to be less than significant.

4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties.* The proposed dwellings are not likely to cause an adverse effect upon property values and general desirability of surrounding properties. The proposed structure is designed to match with the general aesthetic of the area.

**WILLIAMSON ACT:**

The property is not subject to a Williamson Act Contract.

**GENERAL PLAN CONSISTENCY:**

The General Plan designation of MUR (Mixed Use Core Rural) allows for a variety of uses, including residential, commercial, office and public and quazi-public uses. Allowable uses are attached single family homes, multiple family units, retail, restaurants, services, commercial recreation, administrative and reflects the historical development of commercial corridors. Residential densities shall range from 1 to 20 units per acre. The Raymond area plan mimics the general plan designation. The zoning designation of CRM (Commercial, Rural, General) District allows for a multiple family dwelling in a permanent structure with an approved conditional use permit. The General Plan and Zoning designations are consistent and compatible with each other.

**RECOMMENDATION:**

The analysis provided in this report supports approval of Conditional Use Permit (CUP #2021-026) and Negative Declaration (ND #2022-01).

**CONDITIONS**

See attached.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit A-1, Raymond Area Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C, Assessor's Map
5. Exhibit D, Site Plan
6. Exhibit D-1, Floor Plan
7. Exhibit D-2, Elevation Plan
8. Exhibit D-3, Sign Rendering
9. Exhibit E, Aerial Map
10. Exhibit F, Topographical Map
11. Exhibit G, Operational Statement
12. Exhibit H, Environmental Health Comments

**STAFF REPORT  
CUP #2021-026**

**March 1, 2022**

13. Exhibit I, Fire Marshal Comments
14. Exhibit J, Engineering Comments
15. Exhibit K, Public Works Comments
16. Exhibit L, Initial Study
17. Exhibit M, Negative Declaration ND #2022-001

## CONDITIONS OF APPROVAL

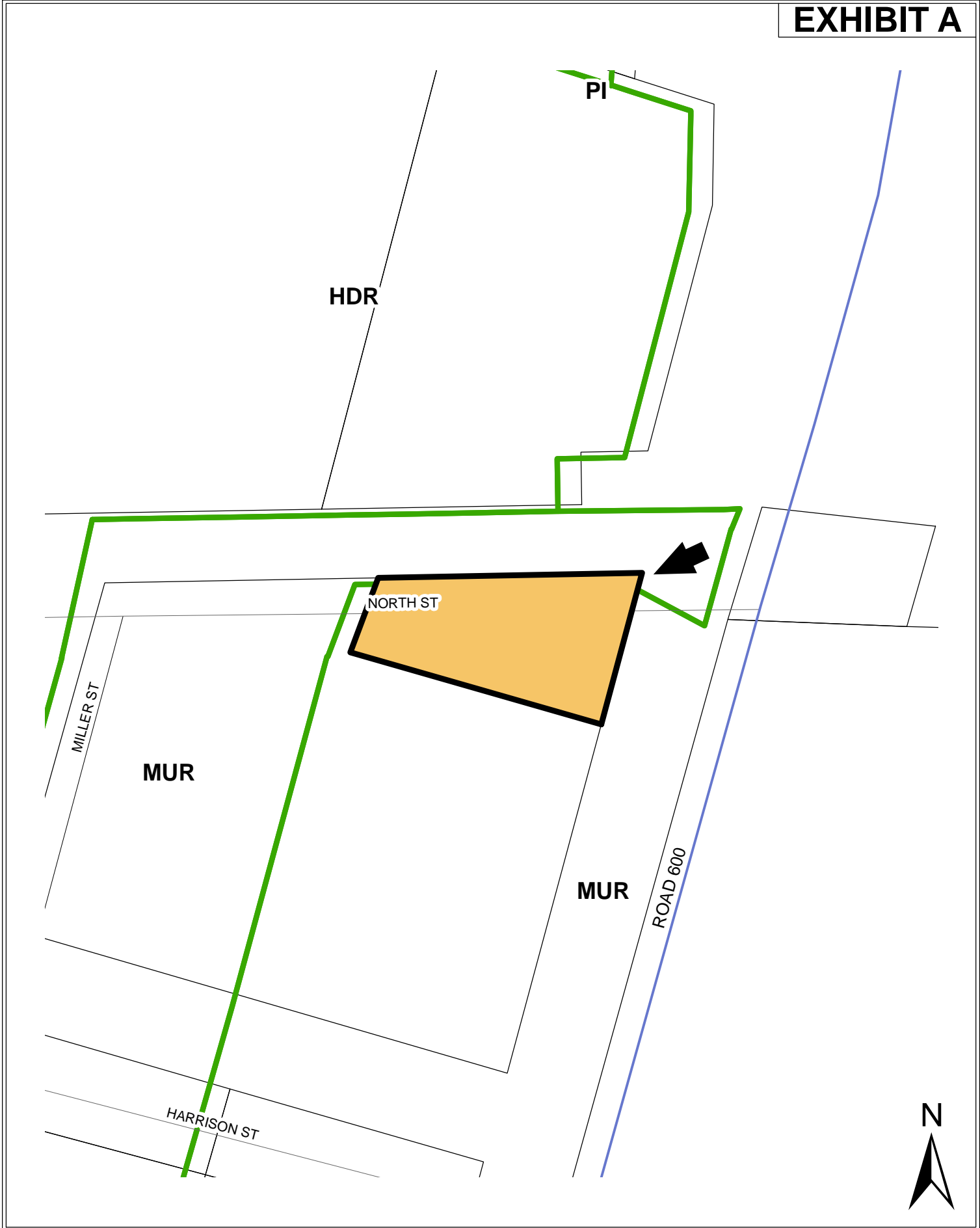
<b>PROJECT NAME:</b>	CUP 2021-026 Davis, Bruce
<b>PROJECT LOCATION:</b>	on the southwest corner of the intersection of Road 600 and North Street (32236 Road 600) Raymond
<b>PROJECT DESCRIPTION:</b>	multi-family dwelling in a commercial zone district
<b>APPLICANT:</b>	Davis, Bruce
<b>CONTACT PERSON/TELEPHONE NUMBER:</b>	Davis, Bruce (559) 689-3153

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health</b>					
1	All parcels shall have adequate potable water that meets California Water Drinking Standards as required by Madera County Code Title 13. This parcel is within American Water Works (AWW) (formally Hillview Water) boundary and is required to connect. Provide will-serve letter from AWW concerning water connection to parcel.	EH			
2	All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division or Regional Water Quality Control Board. Onsite Wastewater Treatment Systems must comply with Madera County Code (MCC) Title 13 and Madera County Local Agency Management Program (LAMP)	EH			
3	Solid waste collection with sorting for green, recycle, and garbage is required	EH			
4	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department.	EH			
5	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be 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 jurisdiction.	EH			
<b>Fire</b>					
1	Fire flow records from nearest hydrant are needed for approval.	Fire			

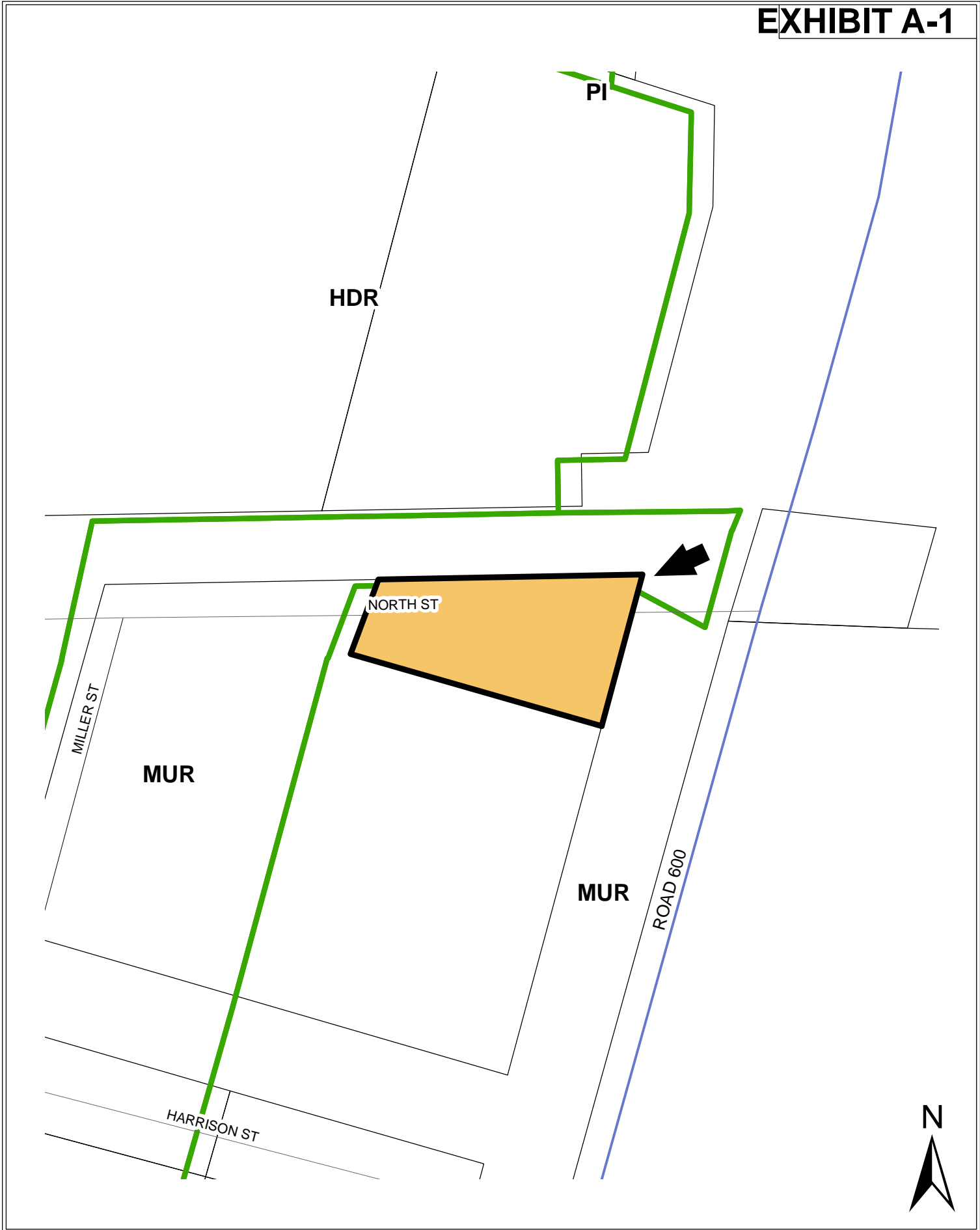


No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	Madera County minimum driveway standards are to be met.	Fire			
3	Fire sprinkler plans shall be submitted by a licensed C16 contractor for approval.	Fire			
4	A fire suppression water tank may be required.	Fire			
<b>Planning</b>					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning			
2	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Planning			
3	Construction activities are limited to the hours of 7AM to 7PM Monday through Friday and 9AM to 5PM on Saturday. Construction activities will be prohibited on Sundays.	Planning			
4	If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of a Phase 3 Archeological study.	Planning			
5	The dwelling units shall not be used for short-term rentals (less than 30 days).	Planning			
<b>Public Works</b>					
1	At the time of applying for the building permits, if any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review. Such improvement plans shall be prepared by a licensed professional.	Public Works (Engineering)			
2	If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development.	Public Works (Engineering)			
3	Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation at 1-800-227-2600 Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.	Public Works (Engineering)			
4	Except as approved and permitted by the County, no signage or parking will be allowed within Road 600 and North Street road right of way (R/W).	Public Works (Roads)			

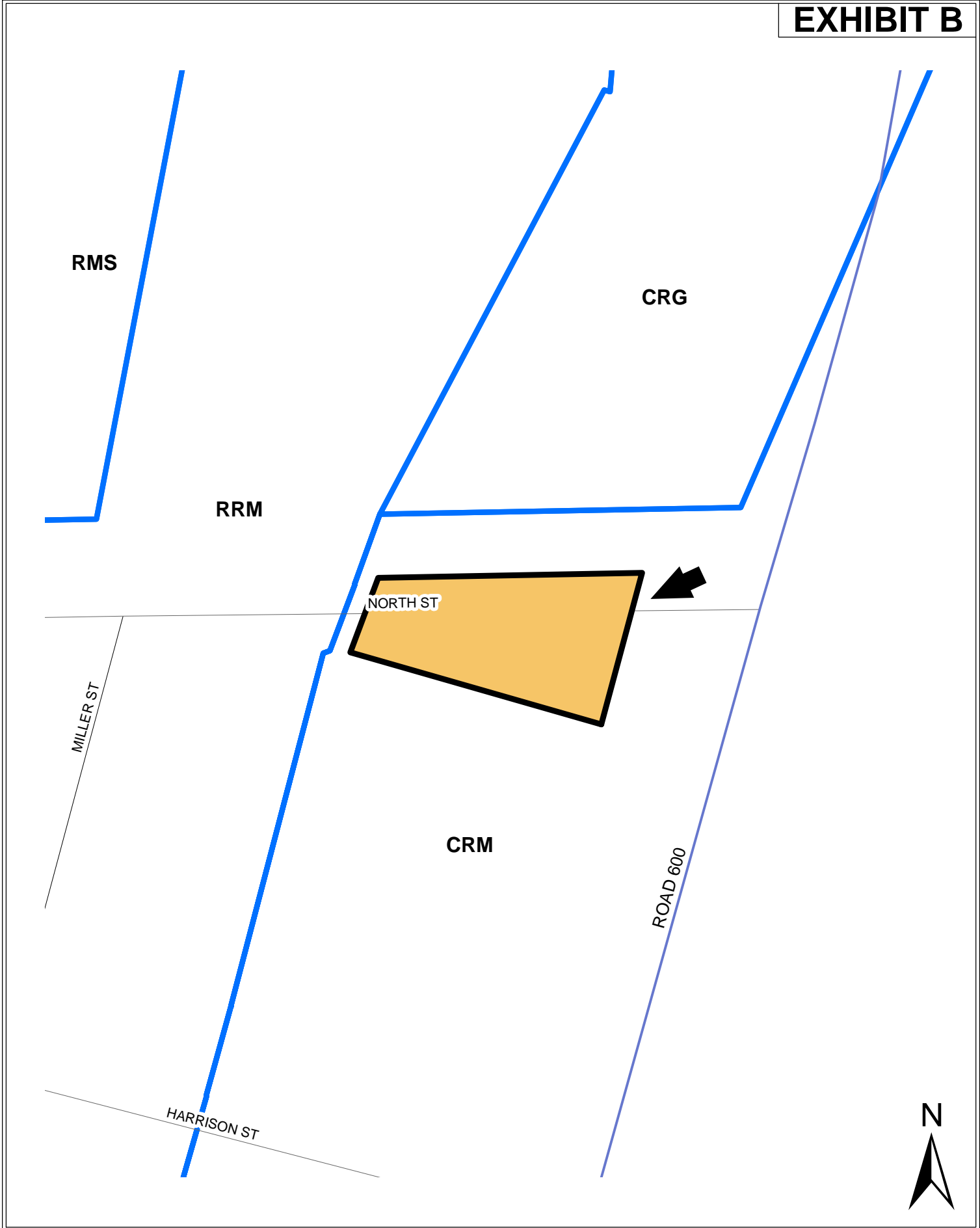
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
5	Encroachment permit will be required prior to commencing any work within the road R/W.	Public Works (Roads)			
6	All appurtenances such as fences along with private signs, shall be located outside of the public road right of way.	Public Works (Roads)			
7	Commercial driveway approach width shall be 35' max each or not more than 50% of the site frontage. All proposed driveway approaches must be designed per county standard ST-24B for commercial use, unless approved otherwise.	Public Works (Roads)			
8	Road 600 is designated as an 80-ft Arterial with 40-ft wide of road right of way on each side of the road centerline. Available record indicates there is an approximately 25 feet of existing road R/W on the west side of Road 600. Therefore, the developer is conditioned to convey to the County, by offer of dedication in fee, a 15-ft wide strip along the west side of Road 600 for road purposes and to satisfy the designated road classification.	Public Works (Roads)			



**GENERAL PLAN MAP**



RAYMOND AREA PLAN MAP



**ZONING MAP**

53-20  
Tax Area Code  
86-001

SEC. 20, 21 T. 8S. R. 19E. M.D.B. & M.  
TOWN OF RAYMOND  
S. LINE OF 1/2 OF 1/2 OF SEC. 20  
E. LINE OF 1/2 OF 1/2 OF SEC. 20

ELIOTT'S ADDITION  
S&W 2  
19

ORIGINAL  
IN BLUE



Assessor's Map No. 53-20  
Raymond-Knowles  
County of Madera, Calif.  
1961

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

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

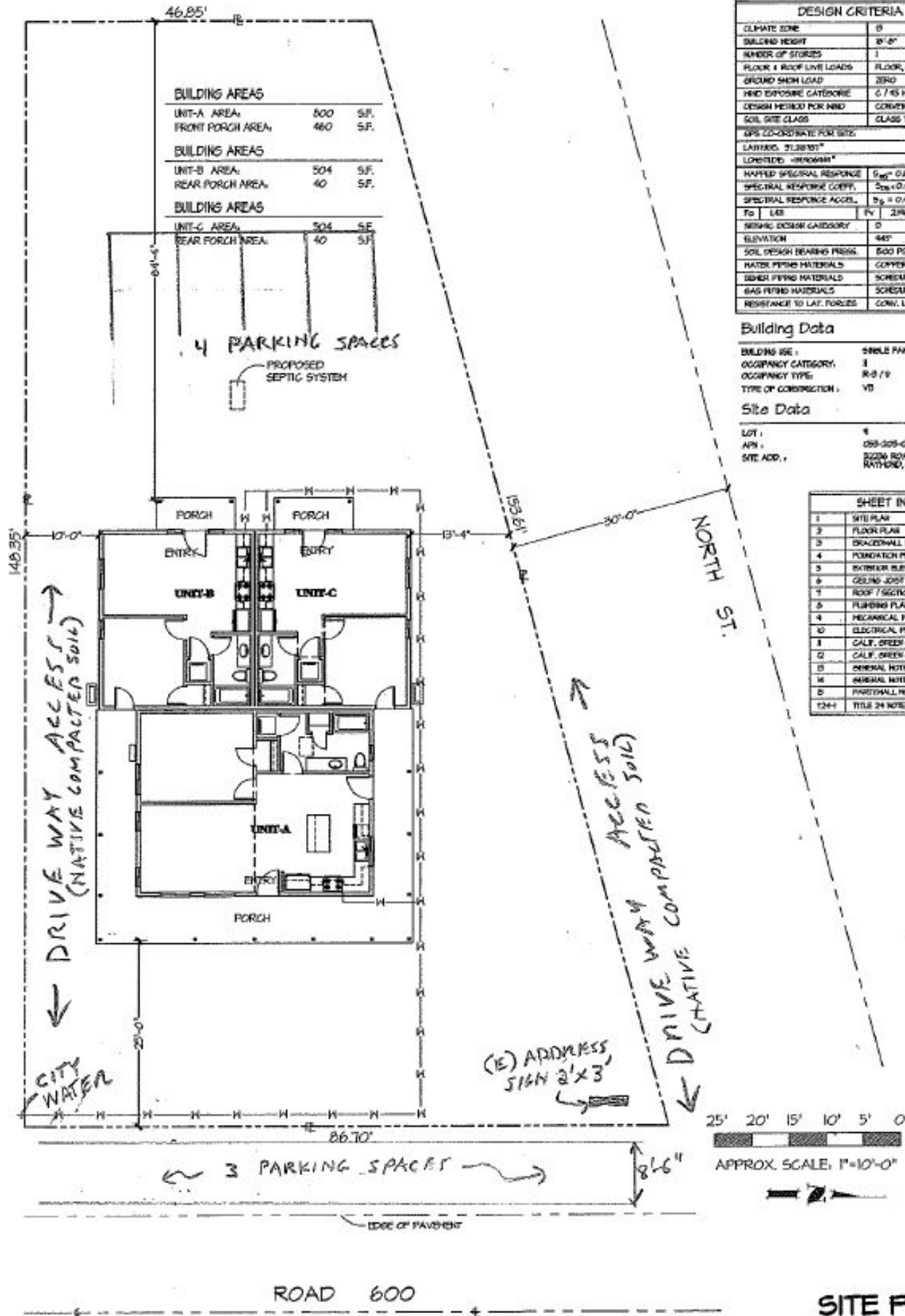
2228-520  
-530  
-540  
-550  
-560  
-570  
-580  
-590  
-600  
CUE

DESIGN CRITERIA	
CLIMATE ZONE	0
BUILDING HEIGHT	10'-0"
NUMBER OF STOREYS	1
FLOOR 1 ROOF LIVE LOADS	FLOOR, 0 ROOF, 20
GROUND SNOW LOAD	ZERO
WIND EXPOSURE CATEGORY	C / 15 MPH
DESIGN METHOD FOR WIND	CONVENTIONAL
SOIL SITE CLASS	CLASS 17 - DEFAULT
GPS CO-ORDINATE FOR SITE:	
LATITUDE: 31.28101°	
LONGITUDE: -107.04444°	
HAPPED SPECTRAL RESPONSE	$S_{avg} = 0.260$ $S_d = 0.444$
SPECTRAL RESPONSE COEFF.	$S_{m1} = 0.400$ $S_{m2} = 0.270$
SPECTRAL RESPONSE ACCL.	$S_{p1} = 0.481$ $S_{p2} = 0.302$
To	L40
To	T4
SEISMIC DESIGN CATEGORY	0
ELEVATION	440'
SOIL DESIGN BEARING PRESS.	500 PSF - DEFAULT
WATER FINISH MATERIALS	COPPER OR PEX
SEWER FINISH MATERIALS	SCHEDULE 40 ABS DWV
GAS FINISH MATERIALS	SCHEDULE 40 METALLIC
RESISTANCE TO LAT. FORCES	CONV. LIGHT-FRAMES

Building Data	
BUILDING USE:	SINGLE FAMILY RESIDENCE
OCCUPANCY CATEGORY:	I
OCCUPANCY TYPE:	R-2 / 1
TYPE OF CONSTRUCTION:	VD

Site Data	
LOT:	4
APN:	059-009-002
SITE ADDR.:	3224 ROAD 600 RATHBUN, CA, 95653

SHEET INDEX	
1	SITE PLAN
2	FLOOR PLAN
3	DRACONAL PLAN
4	FOUNDATION PLAN
5	EXTERIOR ELEVATION
6	CEILING JOIST PLAN / SECTIONS
7	ROOF / SECTIONS PLAN
8	PLUMBING PLAN
9	MECHANICAL PLAN
10	ELECTRICAL PLAN
11	CALIF. GREEN CODE
12	CALIF. GREEN CODE
13	GENERAL NOTES
14	GENERAL NOTES / DETAILS
15	GENERAL NOTES / DETAILS
16-17	TITLE 24 NOTES - GF-32



## SITE PLAN

## SITE PLAN

## ○ FLOOR PLAN NOTES

- Shower stalls & tub enclosures must conform to the requirements of CBC (2024.4g, h).
- Hall walls behind car, lift or other finish wall materials are to be constructed of materials not adversely affected by water. Dry, but must meet requirements of CBC, materials shall conform to ASTM C 110, C 285 or C 823 & shall be detailed per manufacturer's instructions.
- This window / dr. to be safety glass.
- All door, doors to be a minimum of 22" wide, with an unobstructed opening for egress.
- See sheet 05 for fire-rated assembly.
- Provide a mechanical ventilating system - exhaust fan in kitchen, bathroom & utility rooms - see Mechanical plan for min. CFM & all additional requirements.
- Provide heating coils, sufficient to meet requests set forth in CBC - Min. 6000 BTU.
- Provide backdraft damper @ all hoods vented thru roof.
- Height to combustible material above kitchen ranges - 30" unprotected, 24" protected & horiz. ch. per above intg. walling.
- Fronting timber shall be at least the min. grade shown in CBC tables.
- Ceramic tile flooring typ.
- 30" x 30" tile access @ wall
- 22" x 30" tile access w/30" headroom.
- Railing space.
- Obscure glass.
- Do not use w/stop.
- Range w/ hood & fan v.t.r. horiz. ch. per req'd.
- Lower & upper cabinets.
- 4 x 4 post w/ CBS-664-505 & post cap per plan.
- Lowered door.
- Solid surface - granite (per owner spec).
- Decking water diver (vent to exterior)
- 30"x30" tile / 5/8" w/ solid surface wall covering w/ safety gl. enclosure.
- 5 fixed shelves.
- Shelf and pole.
- Electric water heater @ Bath ceiling.
- Verify access size with water heater size to be large enough for replacing or repairing.

### BUILDING AREAS

UNIT-A AREA	800	SF.
FRONT PORCH AREA	400	SF.

### BUILDING AREAS

UNIT-B AREA	504	SF.
REAR PORCH AREA	40	SF.

### BUILDING AREAS

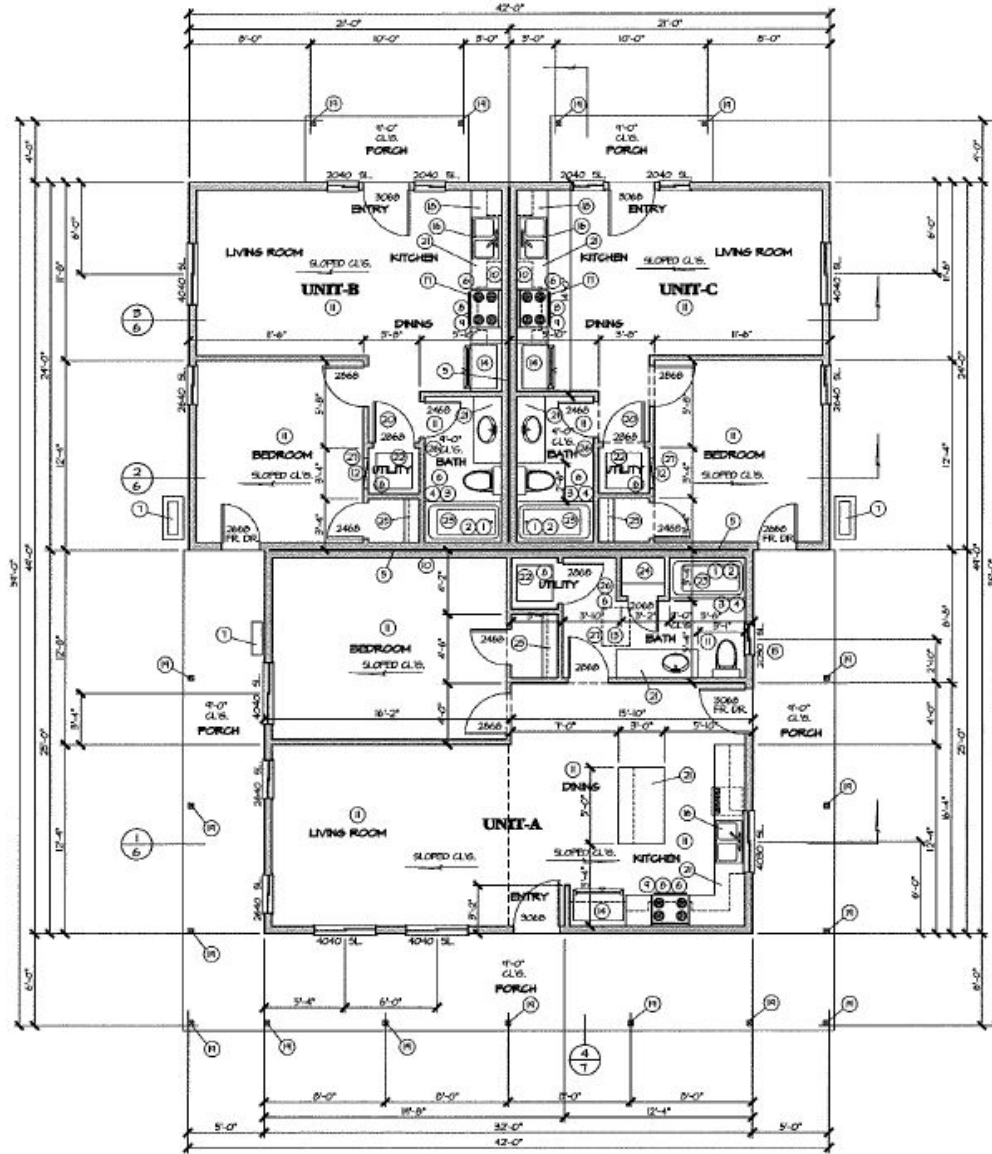
UNIT-C AREA	504	SF.
REAR PORCH AREA	40	SF.

### WALL LEGEND

	NEW 2"x4" DF#2
	8"x8" FRAMED
	INTERIOR
	NEW 2"x4" DF#2
	8"x8" FRAMED
	EXTERIOR

### BUILDING INSULATION VALUES:

EXTERIOR WALLS	R-11
ATTIC SPACE	R-30
SUBFLOOR SPACE	R-11



NOTE:  
WATER RESISTANT GYP/PLM BACKING BOARD SHALL BE USED WHERE THERE IS A DIRECT EXPOSURE TO WATER, OR IN AREAS SUBJECT TO CONTINUOUS HIGH HUMIDITY.

ANGULAR SPACES AROUND PIPES, ELECTRIC, CABLE, CONDUITS OR OTHER OPENINGS IN BOTTOM PLATE AT EXTERIOR WALL SHALL BE PROTECTED AGAINST THE PASSAGE OF RODENTS IN ACCORDANCE WITH CSRS/C CA, 4 DIVISION 4.4

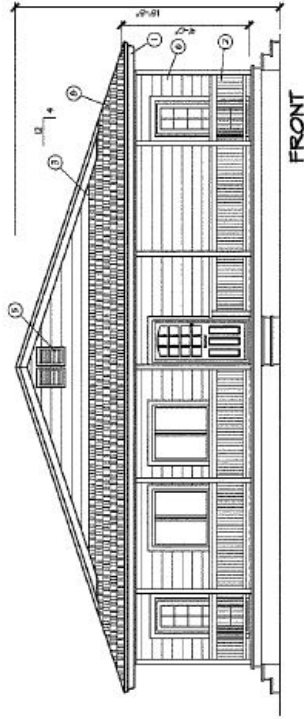
WIDTH OF DOOR TO EXTERIOR 36" MINIMUM.  
NO MORE THAN 1-1/2" LOWER THAN THE TOP OF THE DOOR THRESHOLD.

NOT MORE THAN 7-1/4" BELOW THE TOP OF THE THRESHOLD PROVIDED THE DOOR DOES NOT SWING OVER THE LANDING OR FLOOR.

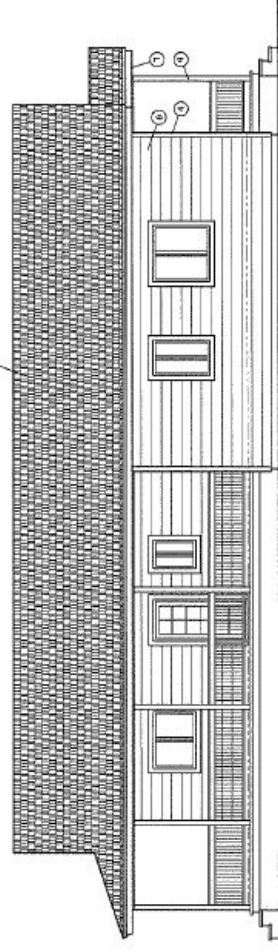
THE MIN. NET HEIGHT OF THE REQUIRED EXTERIOR DOOR TO BE NOT LESS THAN 78" MEASURED FROM THE TOP OF THE THRESHOLD TO THE BOT. OF THE DOOR STOP.



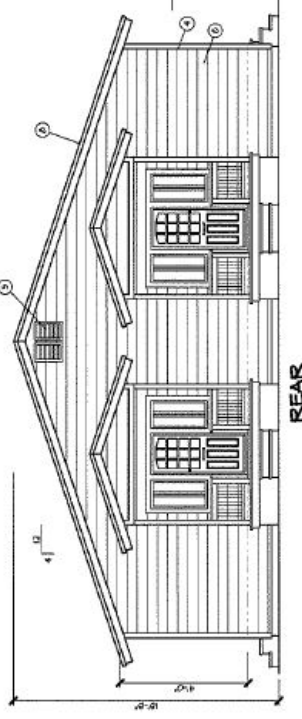
- ELEVATION NOTES**
1. 2x finish with shingle, adding 1/2" per overhang.
  2. Head panel not detail @ sheet 4.
  3. 1/2" shingle over 1/2" shingle (see spec 4).
  4. 1/2" shingle over 1/2" shingle (see spec 4).
  5. 1/2" shingle over 1/2" shingle (see spec 4).
  6. 1/2" shingle over 1/2" shingle (see spec 4).
  7. 1/2" shingle over 1/2" shingle (see spec 4).
  8. 1/2" shingle over 1/2" shingle (see spec 4).
  9. 1/2" shingle over 1/2" shingle (see spec 4).
  10. 1/2" shingle over 1/2" shingle (see spec 4).



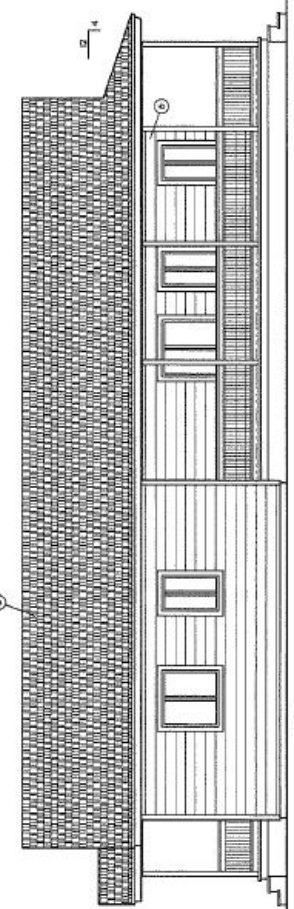
**FRONT**



**RIGHT**



**REAR**



**LEFT**

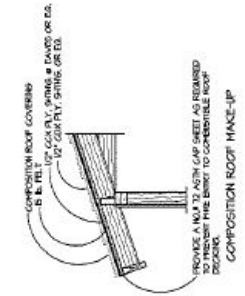
**ELEVATIONS PLAN**

NOTE:  
ALL OUTCAMS INTENDED TO  
BE FIRE RESISTANT MATERIAL.

**NOTE:**  
ROOF COVERING TO BE THERMALENE COOL SERIES SHINGLES.  
NUMBER OR TOTAL TYPE OF COVERING:  
THERMALENE COOL SERIES SHINGLES.  
A VERY FINISHED PRODUCT TO BE USED.

**NOTE:** Roof covering to conform to the standards of 2001 ICC  
Chapter 4.  
Roof covering to be installed in accordance with:  
A1180 to the job, or supplier contact.

The interior shall provide protection of the roof  
covering classification to safety spot, before the  
work can be started.  
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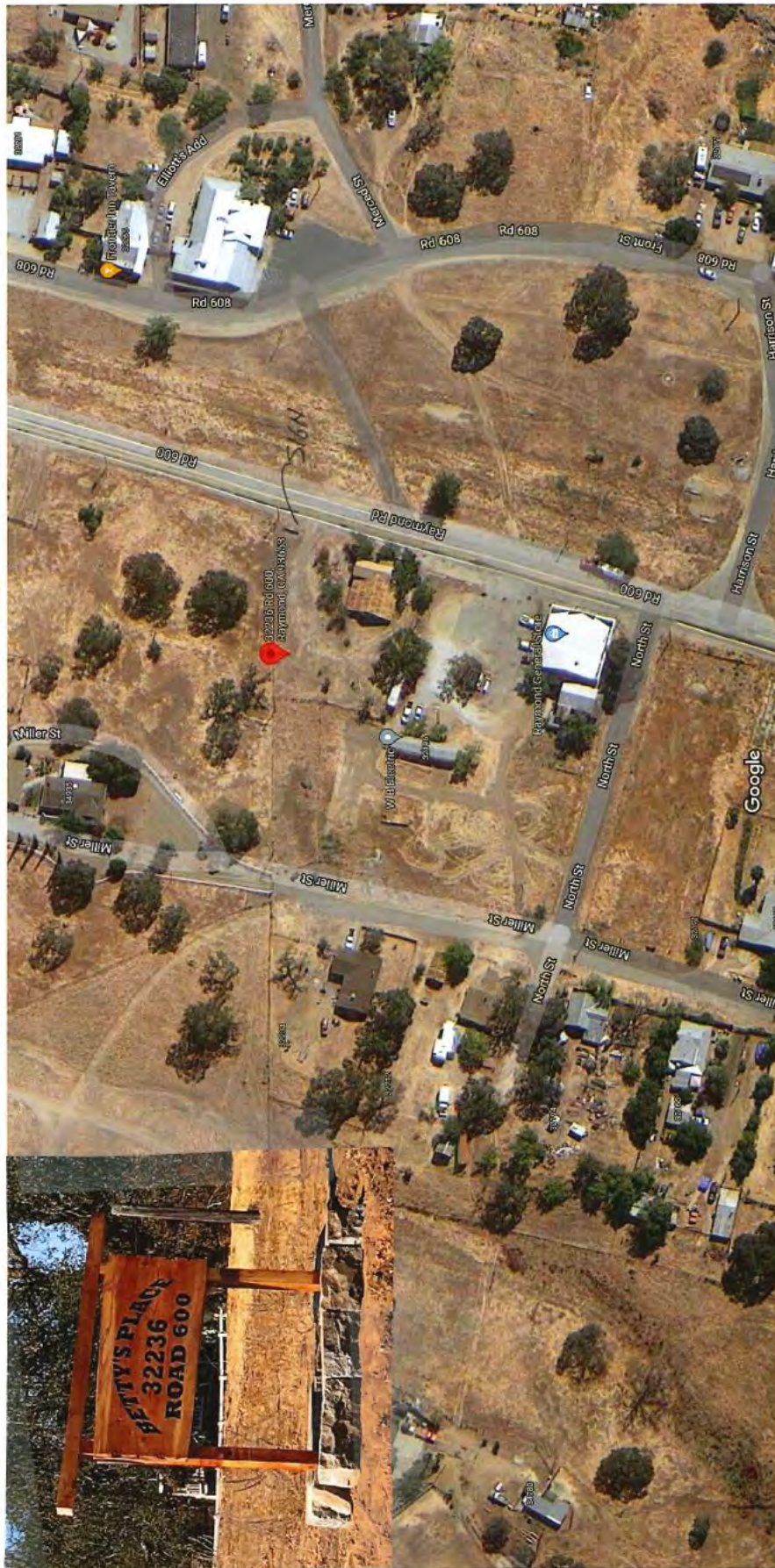
**Roof: Vented Attic**

**Option B**

**Ceiling insulation AND below roof deck insulation**

- + Below roof deck. R-value depends on with or without "airspace" above roof deck.
- + Ceiling insulation must also be provided.
- + Radiant barrier dependent on CZ.
- + Upper insulation dependent upon CZ.

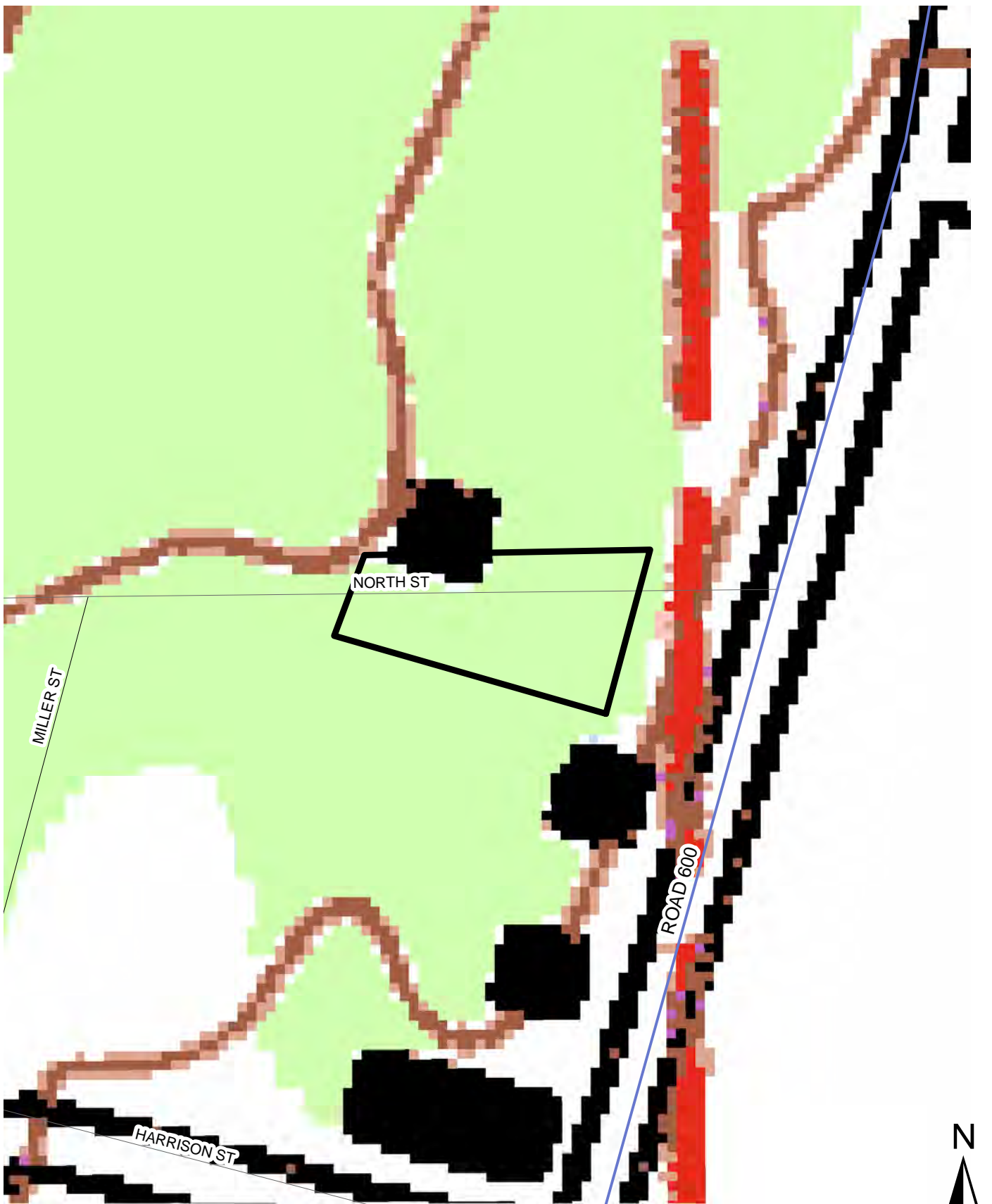
Market/Climate Zone	Climate Zone															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Market/Climate Zone	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
Insulation	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19	R-19
Radiant Barrier	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR



SIGN RENDERING



**AERIAL MAP**



TOPOGRAPHICAL MAP



## Community and Economic Development Planning Division

Matthew Treber  
Director

- 200 W 4<sup>th</sup> Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc\_planning@madera-county.com

### OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: 053-203-002  
 Applicant's Name: Bruce and Percilla Davis  
 Address: 32236 Road 600, Raymond CA 93653  
 Phone Number: 559-689-3153 or 916-870-9569

2. Describe the nature of your proposal/operation.

To receive approval to build a 3 bedroom 3 bath residence, that has 3 separate entrances, and allows the option of leasing each of the 3 units separately. We learned of a zoning restriction when the building plans were submitted for permit application.

3. What is the existing use of the property?

It is a vacant lot. We secured the services of a licensed Land Surveyor, whom set corners and filed a Record of Survey with Madera County.

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

There will be no products produced or sold on this site, as the intention is limited to a residence.

5. What are the proposed operational time limits?

Months (if seasonal): 12 months per year  
 Days per week: 7 days per week  
 Hours (from \_\_\_ to \_\_\_): Total Hours per day: 24 hrs

6. How many customers or visitors are expected?

Average number per day: none  
 Maximum number per day: none  
 What hours will customers/visitors be there? none

7. How many employees will there be?

Current: None  
 Future: None  
 Hours they work: None  
 Do any live onsite? If so, in what capacity (i.e. caretaker)? N/A

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

The materials and equipment will be limited to those necessary to build a new 1,800 SF residence, and surrounding landscape.  
This activity will begin upon receipt of building permit, and will take approximately eight continual months to completion.

9. Will there be any service and delivery vehicles? Deliveries will be limited to concrete and framing materials.

Number: 3 separate deliveries

Type: Concrete ready mix truck, and lumber delivery truck.

Frequency: 3 total deliveries.

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

Limited to resident parking: There are 3 spaces along Road 600, and no fewer than 6 spaces on the parcel.

11. How will access be provided to the property/project? (street name)

There will be access directly in front of the residence on Road 600 in Raymond, CA, and via drive access to the other three sides of the residence.

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

Maximum of one to two vehicles per Unit, which is a maximum of six vehicles. Raymond is a rural location, and an average maximum of two trips per day, calculates to a maximum of 12 vehicle trips that include to and from the residence.

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

There will be no new signs. There is currently a 2 foot by 3 foot wood carved sign on two wood posts that reads "Betty's Place 32236 Road 600".

Its named after Betty Began, whom was a famed fixture in the small town of Raymond, whom lived in a house at this parcel until the 2004.

14. 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 applicable.

It is currently an empty lot. the intent is to build a new 1,800-SF residence, with no other structures.

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

The lot is surrounded and within a rural area. There are existing trees, and some new trees may be added; but the intent is to have limited landscape to Match the area. The property has rural wood and/or barbed wire fencing on three sides. There is no intent to add or upgrade fencing.

16. What are the surrounding land uses to the north, south, east and west property boundaries?

There is a parking lot for the Raymond General Store to the South. Road 600 is to the East. Empty land is to the North and West.

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

The nearest residence from this lot is approximately 1,200 lineal feet, and the General Store is approximately 200 lineal feet away. There will be truck noise during the three separate deliveries during construction, but I don't believe it will reach a minimal nuisance level.

18. 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).

We estimate a total average maximum of 75 gallons per day. The water source is a metared supply, which is owned by America Water District.

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?  
 We estimate a total average maximum of 75 gallons per day, and will be disposed into a new septic system that will be permitted, and inspected by Madera County.
20. 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?  
 We estimate a maximum of 3 to 6 kitchen (13 gallon) bags of garbage per week, and will be disposed of via the services of EMADCO Disposal service. There will also be a bi-weekly pick up of 3 to 4 kitchen (13 gallon) bags of recycle waste by EMADCO Disposal.
21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)  
 There will be a minimal grading effort prior to the commencement of the raised floor building foundation. There is one small tree that will require removal, as it is leaning considerably, and has visible signs of decay at the trunk. It's a hazard.
22. Are there any archeological or historically significant sits located on this property? If so, describe and show location on site plan.  
 None.
23. Locate and show all bodies of water on application plot plan or attached map.  
 There are no bodies of water, regardless of whether there is a rain event.
24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.  
 There are no ravines or gullies. It is a rural piece of land. Approximately 98% of the rain water drains to the West, and away from Road 600. The remaining 2% is a sloped width of land along Road 600. Raymond does not have a curb, gutter, sidewalk, or storm drains system.
25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?  
 There will be no hazardous waste or materials on this site.
26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)  
 Its possible that a resident may have a child attending the K-8 Raymond-Knowles School. There are no parks in Raymond, and it is policed via Madera County Sheriffs Department. There is a Cal Fire and County Fire facility within 1/4 mile of the site. No special districts.
27. How do you see this development impacting the surrounding area?  
 We are excited to provide Raymond with a small option of affordable housing, that is not currently available. We believe any and all impact will be positive. The Owner of the General Store and all of the other Raymond residents we have talked with are in favor of this proposed development.
28. How do you see this development impacting schools, parks, fire and police protection or special districts?  
 The impact will be minimal, as we believe the three one bedroom units will be leased to either single or married adult pairs. The new residence will have a fire sprinkler system, solar power, and energy efficiency required by the new building codes.
29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s): N/A  
 Square feet of building area(s): \_\_\_\_\_  
 Total number of employees: \_\_\_\_\_  
 Building Heights: \_\_\_\_\_

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

N/A

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November 20, 2021

Re: Betty's Place  
32236 Road 600  
Raymond, CA 93653

Subj: Variance Application, Findings of Fact

To whom it may concern, please let this serve as a response to the pointed questions within the Variance Application, Findings of Fact. We hope a trust that it will provide clear understanding.

1. We truly believe that the Town of Raymond is very unique, and has a storied American history. Highlights of which are the visit of Theodore Roosevelt in 1903, the railroad trail end used by the gold miners, and the granite quarry to name a few examples. We purchased this parcel in 2016, after learning of its history from the town elders and the operator of the Raymond Museum. There was a structure on the parcel that was originally used in the 1890's as a boarding house for local school boys. The structure was much later used as the residence of Betty Bagan, whom we purchased the parcel from Betty's Granddaughter. The structure was gutted at some point after Betty passed away, and was limited to wood single wide walls that we were able to dismantle; and the hope is to reuse much of it for the new structure siding and flooring. The goal has always been to replace Betty's residence with a residence that improves Raymond, and is wholly acceptable to the residents of Raymond. We have held many discussions with several residents, and know that our desired direction is in keeping with those whom knew and loved Betty. The only immediate neighbor to the parcel is the General Store, and we have certainly received the Owners blessing along with her staff.
2. The proposed residence is almost exactly the same footprint as was there for over 100 years. The architecture will be very similar as well, with a wraparound porch. The request is so that this new residence can be leased to one, two, or three individual lessees. It is proposed to have 3 entrances, 3 bedrooms, 3 baths, and 3 kitchens; and all under one roof. We have heard from several residents of Raymond that this type of living option does not exist in Raymond, and would be so well received.
3. We will not allow this property or its future residents to negatively impact the community of Raymond in any way, shape or form. We too live in Raymond, and are responsible to our community. It will be leased under the services of a Property Management Company that will provide screening and back ground checks of all potential residents. This property will be held by us, it is our retirement design, and we will most likely reside in one of the units at some point when age limits our ranching abilities.
4. Raymond is a very unique rural place, that has very little development of new residences in the past; and all indications is there will not be any difference in activity in the foreseeable future. We believe this request is unique to the area, and welcomed by the community. The parcel was purchased with the goal to replace its original use, and to

benefit the community by providing living options that are not understood to be available elsewhere in Raymond. A potential use is a single or married adult(s) that cannot afford the lease of a larger home, or thrive in a simplified setting. Another use could be an adult that has the need to take care of their aging parent in an assisted living type arrangement. They live in one unit, and the parent has another. The purpose beyond our need for retirement income, is to provide the community with living options. Of course, the options are limited to these three units; but it could be argued that Raymond doesn't and may never need a larger multi-family development.

5. The parcel is very small, and much smaller in square footage than those parcels around it. Therefore, the parcel has a limited option of one structure. We recently utilized the services of a licensed Land Surveyor whom set corners, and filed a Record of Survey with Madera County. It appears as if the only unusual feature of our request is the multi-family element. The units are one 800 SF, and two 400 SF living spaces. It doesn't lend itself to a large number of residents, and of course the Property Management Co. will be instructed to limit residents to two per unit. Additional vehicles will be accommodated in the back of the property, so the visual look from the street at maximum capacity will not change from that of the previous 100 plus years. Meaning, the requested use will not be immediately obvious to those passing by from any direction.

Sincerely,

Bruce and Perscilla Davis



Community and Economic Development  
Environmental Health Division

Dexter Marr  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

**M**EMORANDUM

TO: Annette Kephart  
FROM: Dexter Marr, Environmental Health Division  
DATE: January 14, 2022  
RE: Davis, Bruce - Conditional Use Permit - Raymond (053-203-002-000)

**Comments**

TO: Planning Division  
FROM: Environmental Health Division  
DATE: December 17, 2021  
RE: Conditional Use Permit (CUP) #2021-026, Bruce Davis  
Madera APN 053-203-002

The Environmental Health Division Comments:

All parcels shall have adequate potable water that meets California Water Drinking Standards as required by Madera County Code Title 13. This parcel is within American Water Works (AWW) (formally Hillview Water) boundary and is required to connect. Provide will-serve letter from AWW concerning water connection to parcel.

All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division or Regional Water Quality Control Board. Onsite Wastewater Treatment Systems must comply with Madera County Code (MCC) Title 13 and Madera County Local Agency Management Program (LAMP)

Solid waste collection for recyclables, and garbage is required.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be 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 jurisdiction.

If there are any questions or comments regarding these conditions/requirements contact this Division at (559) 675-7823.



## MEMORANDUM

TO: Annette Kephart

FROM Alan Pehl, Building & Fire Safety Division

RE: CUP #2021-026 (Conditional Use Permit)

Fire flow records from nearest hydrant are needed for approval.

Madera County minimum driveway standards are to be met.

Fire sprinkler plans shall be submitted by a licensed C16 contractor for approval.

After further review of building plans a fire suppression water tank may be required.



**COUNTY OF MADERA  
DEPARTMENT OF PUBLIC WORKS**

200 West 4th Street  
Madera, CA 93637-8720  
Main Line - (559) 675-7811  
Special districts - (559) 675-7820  
Fairmead Landfill - (559) 665-1310

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**MEMORANDUM**

**DATE:** January 14, 2022  
**TO:** Annette Kephart  
**FROM:** Madera County Public Works  
**SUBJECT:** Davis, Bruce - Conditional Use Permit - Raymond (053-203-002-000)

**Comments**

At the time of applying for the building permits, if any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review. Such improvement plans shall be prepared by a licensed professional.

If there are existing drainage facilities and storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development.

Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation at 1-800-227-2600  
Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.

**COUNTY OF MADERA  
DEPARTMENT OF PUBLIC WORKS**

200 West 4th Street  
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Main Line - (559) 675-7811  
Special districts - (559) 675-7820  
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**MEMORANDUM**

**DATE:** January 14, 2022  
**TO:** Annette Kephart  
**FROM:** Phu Duong, Public Works  
**SUBJECT:** Davis, Bruce - Conditional Use Permit - Raymond (053-203-002-000)

**Comments**

Except as approved and permitted by the County, no signage or parking will be allowed within Road 600 and North Street road right of way (R/W)

Encroachment permit will be required prior to commencing any work within the road R/W.

All appurtenances such as fences along with private signs, shall be located outside of the public road right of way.

Commercial driveway approach width shall be 35' max each or not more than 50% of the site frontage. All proposed driveway approaches must be designed per county standard ST-24B for commercial use, unless approved otherwise.

It appears the 3 proposed parking spaces along Road 600 are in the road right of way.

Road 600 is designated as an 80-ft Arterial with 40-ft wide of road right of way on each side of the road centerline. Available record indicates there is an approximately 25 feet of existing road R/W on the west side of Road 600. Therefore, the developer is conditioned to convey to the County, by offer of dedication in fee, a 15-ft wide strip along the west side of Road 600 for road purposes and to satisfy the designated road classification.

**County of Madera  
California Environmental Quality Act (CEQA)  
Initial Study**

- 1. Project title:** Conditional Use Permit #2021-026, Bruce Davis
- 2. Lead agency name and address:** County of Madera  
Community and Economic Development Department  
200 West 4<sup>th</sup> Street, Suite 3100  
Madera, California 93637
- 3. Contact person and phone number:** Annette Kephart, Planner III  
559-675-7821  
Annette.kephart@maderacounty.com
- 4. Project Location & APN:** The project is located one the southwest corner of the intersection of Road 600 and North Street (32236 Road 600) Raymond  
APN: 053-203-002-000
- 5. Project sponsor's name and address:** Bruce Davis  
37667 Eagle Drive  
Raymond, CA 93653
- 6. General Plan Designation: Raymond Area Plan:** MUR (Mixed Use Core Rural)  
MUR (Mixed Use Core Rural)
- 7. Zoning:** CRM (Commercial, Rural, Median) District
- 8. Description of project:** To allow a multi-family dwelling in a commercial zone district
- 9. Surrounding Land Uses and Setting:** Commercial and Residential
- 10. Other Public Agencies Whose Approval is Required:** None
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**  
Local Tribes were contacted per AB 52. No comments have been received. (See Section XVIII for additional discussion.)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

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

<b>DETERMINATION</b>	
On the basis of this initial evaluation:	
<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	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 or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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 \_\_\_\_\_



**I. AESTHETICS**

Except as provided in Public Resources Code Section 21099, 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) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a) No Impact.** The proposed project is consistent with the General Plan of the area. A previous structure was located on the parcel and uses as a boarding house for local schoolboys and was them later used as a residence which has been demolished.

**(b) No Impact.** There is not a designated scenic highway within the immediate vicinity of the project. No scenic vistas exist within the vicinity of this project.

**(c & d) Less Than Significant Impact.** The area already allows commercial and residential development. This parcel has been previously developed residence. If new lighting is added on the project, it must be hooded and directed away from neighboring properties.

**General Information:**

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.

\_\_\_\_\_

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**II. AGRICULTURAL AND FORESTRY RESOURCES**

In determining whether agricultural 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:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<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?

**Responses:**

**(a - e) No Impact.** The project parcel and the surroundings are not zoned for timberland uses, so there no impacts are anticipated. The project will not further encroach on timber or agricultural land, nor will the project rezone existing farm or forest land.

The soils are classified as Ahwahnee and Vista coarse sandy loams, 15 to 30 percent slopes. Runoff class is median with a well-drained drainage class.

The parcel is not under a Williamson Act Contract nor is any type of agricultural production.

**General Information**

The California Land Conservation Act of 1965 -- commonly referred to as the Williamson Act -- enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The Department of Conservation oversees the Farmland Mapping and Monitoring Program. The Farmland Mapping and Monitoring Program (FMMP) produce maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program's definition of farmland classification is below:

**PRIME FARMLAND (P):** Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

**FARMLAND OF STATEWIDE IMPORTANCE (S):** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

**UNIQUE FARMLAND (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

**FARMLAND OF LOCAL IMPORTANCE (L):** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

**GRAZING LAND (G):** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association,

University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

**URBAN AND BUILT-UP LAND (D):** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

**OTHER LAND (X):** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

**CONFINED ANIMAL AGRICULTURE:** Poultry facilities, feedlots, and dairy facilities – this use may be a component of Farmland of Local Importance in some counties.

\_\_\_\_\_

### III. AIR QUALITY

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

	Potentially Significant Impact	Less Than Significant With Mitigation 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) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Responses:

**(a - d) Less Than Significant Impact.** The project is not anticipated to conflict with or obstruct implementation of an applicable air quality plan. The project is not anticipated to violate any air quality standards or contribute substantially to an existing or projected air quality violation. The project is not anticipated to 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. The project will slightly increase traffic to the site. The vehicular traffic to the project is not anticipated to generate a significant level of pollutants.

Sensitive receptors are facilities that “house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollution. Hospitals, schools, convalescent facilities and residential areas are examples of sensitive receptors.” (GAMAQI, 2002). The addition of outdoor boat and RV storage is not anticipated to generate a significant amount of particulate matter. The project is not anticipated to create objectionable odors affecting a substantial number of people.

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.

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**IV. BIOLOGICAL RESOURCES**

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of a native wildlife nursery site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

**Responses:**

**(a, b, d) Less Than Significant Impact.** There are no known habitats identified on this parcel. While there are candidate species identified in the Raymond quadrangle in which this project is located, there has been no documentation of any of the species being located on or in the immediate vicinity of the project site. There is still the potential that some species may migrate through the vicinity. The site has been utilized for residential use in the past. The area is characterized by foothill, oak woodland habitats together with interior oak and mixed chaparral biotic habitat characteristic of the Sierra Nevada foothills. These foothill habitat areas have been modified by grazing, and rural residential development. However, they remain viable for native wildlife for breeding and foraging, especially as wintering refuge for deer and various predators.

**(c) No Impact.** The project site is not located on or near any state or federal protected wetlands.

Valley oaks and blue oak woodland areas are encompassed by blue-oak-digger pine mix. The pine mix has a shrub understory of manzanita, buckbrush, scotch broom, bush lupine, miscellaneous herbaceous plants, and patchy grasslands.

Within the Raymond area, the most obvious wildlife are the large hawks, migrating turkey vultures and occasional eagles that patrol the skies. Dozens of other avian species, including barn owls, prowl the lower airways. Small animals typical of the foothills include rabbits, squirrels, raccoons, skunks, and possums. Mule deer, coyotes, bobcats, and an occasional mountain lion roam the area. The insect population includes scorpions, wasps and bees. Area snakes are mostly harmless, and the large tarantulas are considered a native treasure.

While the list below shows a number of species listed in the quadrangle in which this project is located, this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through.

**(e - f) No Impact.** The project will not conflict with any local, state or federal policies or ordinances protecting biological resources.

## General Information

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:

<b>Species</b>	<b>Federal Listings</b>	<b>State Listings</b>	<b>Dept. Of Fish and Game Listings</b>	<b>CNPS Listings</b>
California tiger salamander - central California DPS	Threatened	Threatened	WL	-
foothill yellow-legged frog	None	Endangered	SSC	-
western spadefoot	None	None	SSC	-
golden eagle	None	None	FP ; WL	-
bald eagle	Delisted	Endangered	FP	-
double-crested cormorant	None	None	WL	-
California linderiella	None	None	-	-
pallid bat	None	None	SSC	-
hoary bat	None	None	-	-
western pond turtle	None	None	SSC	-
fragile pentachaeta	None	None	-	4.3
beaked clarkia	None	None	-	1B.3
succulent owl's-clover	Threatened	Endangered	-	1B.2
Madera leptosiphon	None	None	-	1B.2

shining navarretia	None	None	-	1B.2
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**Daulton 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)

SSC Species of Special Concern

WL Watch List

FP Fully Protected

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 California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk’s Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to: [http://www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html).

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.

Wetlands are defined under Title 33 §328.3 of the California Code of Regulations as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”

**V. CULTURAL RESOURCES**

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	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 pursuant to §15064.5?				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a - c) Less Than Significant Impact.** No known resources exist in the vicinity of this project. The project site has been used for residential use in the past and is surrounded by residential and commercial uses.

Native Americans, particularly the Chukchansi Yokut tribe, have lived in the area for a historically long period of time. Also living in the area was a separate linguistic tribe called the Monache. The Northfork Mono lived in Madera County in what is now the North Fork/O’Neals area along the North Fork of the San Joaquin River and its tributaries, primarily between 3,000 and 7,000 feet in elevation. Western settlement began with the discovery of gold in 1849.

The diminishing returns in the placer mines by 1866 were not disastrous for the community due to trade with visitors on their way to Yosemite National Park. In 1876, a wagon road that passed through the area was extended to Yosemite National Park. The completion, in 1880, of a more direct route through Raymond and Ahwahnee spelled the temporary end of the tourist business. With the completion of Highway 41 to Yosemite National Park, through Oakhurst, tourist business again became important to the area.

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).

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.

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

**Responses:**

**(a - b) No Impact.** The multi-family structure will contain one 800 square foot unit and two 400 square foot units. This will be around the same footprint as the original residence that was located on the parcel. There is very little likelihood that there will be any impact to energy resources or that the project will conflict with any state or local energy resource plans.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS</b>				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone 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 type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geological 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 direct or indirect 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(ai - iv) Less Than Significant Impact.** Foothill and Sierra Nevada regions of California are areas that are crossed by very few faults. There is an unnamed fault line that crosses through the southeastern portion of the County and is a part of the Hartley Springs Fault Zone. As such, the chances of rupture of faults in the vicinity are less than likely. Shock waves from faultlines that rupture may be felt depending on their magnitude.

**(b) Less Than Significant Impact.** The parcel is subject to potential erosion due to rain events. The footprint of the project is 1,600 square foot so resulting erosion is expected to be minimal. The slight additional vehicular activity may result in a less than significant loss in topsoil and increase in soil erosion.

**(c - e) No Impact.** There are no known impacts that will occur as a direct or indirect result of this project.

## **General Information**

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

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

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

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep. However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

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

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

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

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

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

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

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

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**VIII. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a) Less Than Significant Impact.** A small amount of vehicular traffic could slightly increase the greenhouse gas emissions for the project site, but the increase is expected to be less than significant. The 3 small residential units included in the project are expected to have a maximum of 1 to 2 vehicles per unit. As Raymond is a rural location an average maximum of two trips per day per unit calculate to a maximum of 12 vehicle trips per day.

**(b) No Impact.** There is no anticipated impact as a result of this project.

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.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25% overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan's GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

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

The site is not located on or near any hazardous waste storage facilities, or on or near any brownfields sites as indicated by the Environmental Protection Agency.

Any hazardous material because of its quantity, concentration, physical or chemical properties, pose a significant present or potential hazard to human health and safety, or the environment the California legislature adopted Article I, Chapter 6.95 of the Health and Safety Code, Sections 25500 to 25520 that requires any business handling or storing a hazardous material or hazardous waste to establish a Business Plan. The information obtained from the completed Business Plans will be provided to emergency response personnel for a better-prepared emergency response due to a release or threatened release of a hazardous material and/or hazardous waste.

Business owners that handle or store a hazardous material or mixtures containing a hazardous material, which has a quantity at any one time during the year, equal to or greater than:

- 1) A total of 55 gallons,
- 2) A total of 500 pounds,
- 3) 200 cubic feet at standard temperature and pressure of compressed gas,
- 4) Any quantity of Acutely Hazardous Material (AHM).

Assembly Bill AB 2286 requires all business and agencies to report their Hazardous Materials Business Plans to the Certified Unified Program Agency (CUPA) information electronically at <http://cers.calepa.ca.gov>

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**X. HYDROLOGY AND WATER QUALITY**

Would the project:

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

**Responses:**

**(a, b, c) Less Than Significant Impact.** The project is anticipated to use 75 gallons of water per day and will be supplied by American Water. A new septic is proposed, and 75 gallons of daily wastewater is anticipated.

**(d, e) No Impact.** It is not anticipated that the proposed project would create any need to mitigate for additional degradation of water quality. The site is not near any creeks or streams or bodies of water in which runoff could have an impact to water quality.

The site is not within a special flood zone indicating 100-year floods.



## General Information

Groundwater quality contaminants of concern in the Valley Floor include high salinity (total dissolved solids), nitrate, uranium, arsenic, methane gas, iron, manganese, slime production, and dibromochloropropane with the maximum contaminant level exceeded in some areas. Despite the water quality issues noted above, most of the groundwater in the Valley Floor is of suitable quality for irrigation. Groundwater of suitable quality for public consumption has been demonstrated to be present in most of the area at specific depths.

Groundwater quality contaminants of concern in the Foothills and Mountains include manganese, iron, high salinity, hydrogen sulfide gas, uranium, nitrate, arsenic, and methylbutylethylene (MTBE) with the maximum concentration level being exceeded in some areas. Despite these problems, there are substantial amounts of good-quality groundwater in each of the areas evaluated in the Foothills and Mountains. Iron and manganese are commonly removed by treatment. Uranium treatment is being conducted on a well by the Bass Lake Water Company.

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.

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XI. LAND USE AND PLANNING</b>				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Responses:**

**(a - b) No Impact.** This project will not physically divide an existing community and is not in conflict with any applicable land use plan, policy or regulation. The Commercial, Rural Median

zone district.

The project site is currently vacant land and consisted of residential usage in the past.

The general plan designation of MUR (Mixed Use Core Rural) allows for a variety of uses, including residential, commercial, office and public and quazi-public uses. Allowable uses are attached single family homes, multiple family units, retail, restaurants, services, commercial recreation, administrative and reflects the historical development of commercial corridors. Residential densities shar range from 1 to 20 units per acre. The zoning designation of CRM (Commercial, Rural, General) District allows for allows for a multiple family dwelling in a permanent structure. The proposal will not be in conflict with applicable land use (zoning) or with the General Plan (once approved).

\_\_\_\_\_

**XII. MINERAL RESOURCES**

Would the project:

	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"/>

**Responses:**

**(a - b) No Impact.** There are no known minerals in the vicinity of the project site.

\_\_\_\_\_

**XIII. NOISE**

Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Responses:**

**(a-b) Less Than Significant Impact.** There is the potential of a slight increase of noise generation with the addition of a multifamily dwelling. The noise generated by normal residential use is anticipated to be less than significant. Construction activities are anticipated to exist for a limited duration and are not anticipated to be long sources of noise or vibrations. The project is anticipated to generate some noise, however this noise is anticipated to be less than significant and to not constitute a substantial permanent, periodic or temporary increase in ambient noise levels.

**(c) No Impact.** This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There are no impacts identified as a result of this project.

## **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, and 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, 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.

**MAXIMUM ALLOWABLE NOISE EXPOSURE FOR  
NON-TRANSPORTATION NOISE SOURCES\***

		Residential	Commercial	Industrial (L)	Industrial (H)	Agricultural
Residential	AM	50	60	55	60	60
	PM	45	55	50	55	55
Commercial	AM	60	60	60	65	60
	PM	55	55	55	60	55
Industrial (L)	AM	55	60	60	65	60
	PM	50	55	55	60	55
Industrial (H)	AM	60	65	65	70	65
	PM	55	60	60	65	60
Agricultural	AM	60	60	60	65	60
	PM	55	55	55	60	55

\*As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers at the property line.

AM = 7:00 AM to 10:00 PM  
 PM = 10:00 PM to 7:00 AM  
 L = Light  
 H = Heavy

Note: Each of the noise levels specified above shall be lowered by 5 dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).

Sensitive Noise Receptors include residential areas, hospitals, schools, performance spaces, businesses, and religious congregations.

Vibrating objects in contact with the ground radiate energy through the ground. Vibrations from large and/or powerful objects are perceptible by humans and animals. Vibrations can be generated by construction equipment and activities. Vibrations attenuate depending on soil characteristics and distance. Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

<b>Reaction of People and Damage to Buildings from Continuous Vibration Levels</b>		
<b>Velocity Level, PPV (in/sec)</b>	<b>Human Reaction</b>	<b>Effect on Buildings</b>

0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations vibration	Architectural damage and possibly minor structural damage
Source: Whiffen and Leonard 1971		

**XIV. POPULATION AND HOUSING**

Would the project:

Potentially Significant Impact      Less Than Significant With Mitigation Incorporation      Less Than Significant Impact      No Impact

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**Responses:**

**(a - b) Less Than Significant Impact.** The project would not result in a substantial population growth as the three proposed units combined living space is 1600 square foot. No homes will be displaced as a result of the project.

**XV. PUBLIC SERVICES**

Potentially Significant Impact      Less Than Significant With Mitigation Incorporation      Less Than Significant Impact      No Impact

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

**Responses:**

**(a-i and a-v) Less Than Significant Impact.** While the area may be prone to wildfires, the project itself is not seen as an impact. The small 3 unit proposed structure is anticipated to require minimal services for fire and police protection. If an incident were to occur, the parcel is located within 0.5 mile of a fire station and emergency vehicles would be able to respond to an incident quickly. Road 600 is designated as arterial with 80' wide road right of way (R/W) or 40' wide on each side of the road centerline. Currently there is an existing 25' wide of road R/W on the west side of Road 600. The applicant will be required to convey by offer of dedication in fee, a fifteen-foot-wide strip along the west side of Road 600. The applicant is required to dedicate a 10' wide strip along the frontage of the site on both roads for public road uses.

The project is within the Raymond Knowles Union School District. The development of residential buildings would be required to pay School District Impact Fees in order to offset potential impacts of the development.

The development of residential buildings would be subject to the Quimby Act fee for the development of park facilities. The fee is dependent on the number of units and will be required to be paid prior to issuance of building permits.

Ambulance and paramedic service within the community is provided by Sierra Ambulance. Emergency medical care services are privately provided from commercial facilities in Madera, and 24-hour emergency treatment is available at Madera Community Hospital and Valley Children's Hospital.

The Madera County Fire Department exists through a contract between Madera County and CalFire (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an "Amador Plan" contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire

## Administration.

The California Department of Forestry and Fire Protection (CDF) provides for protection services to most of Madera County. There are CDF fire stations located within the vicinity of Oakhurst, staffed mostly by a volunteer personnel on a paid per call basis. Other stations in the area include facilities in Coarsegold, O'Neals, and Ahwahnee. Madera County Fire Station # 14 is located approximately ½ mile south east of the project site.

A project that adds homes and commercial buildings to a community typically increases the need for various municipal services, such as fire and police protection. As the Court of Appeal recently confirmed in *City of Hayward v. Board of Trustees*, that need, though, is not itself an “environmental impact” of the project that the California Environmental Quality Act (“CEQA”) requires the project proponent to mitigate.

In *City of Hayward*, a state university prepared an environmental impact report (“EIR”) evaluating the environmental effects of its proposed master plan for the expansion of its campus, including two specific building projects, one for student housing and one for a parking structure. It concluded that building out the master plan would result in significant effects on aesthetics, air quality, cultural resources, and traffic, notwithstanding implementation of all feasible mitigation. All other effects, including effects on public services, were found to be insignificant or fully mitigated. The EIR concluded that the increase in campus population would not result in a significant environmental effect regarding fire and emergency medical services provided by the city fire department. It explained that the increased population would call for the addition of 11 firefighters, roughly the equivalent of one fire company, in order to maintain an adequate service ratio of one staff person for 1,000 people and that the facilities to house the added staff would be achieved by adding a bay to an existing fire station or constructing a new fire station. Noting that construction of such facilities would be subject to review under CEQA, the EIR concluded that since construction of such facilities would affect only a small area (an acre or less) in an urban location, it would not cause significant environmental effects. Based on this analysis, the EIR concluded that no mitigation regarding fire protection services was required.

The City of Hayward, in which the campus is located, sued alleging that the university had failed to comply with CEQA. The city contended that the university first should have concluded that the project would have a significant effect on emergency response times and thus the health and safety of the community, owing to the nonexistence of the additional firefighters and facilities needed to serve the increased population, and then should have assessed possible measures to mitigate that effect, such as hiring additional firefighters and building facilities to house them. The trial court agreed, explaining that it is not the increased demand for fire protection services that must per se be evaluated as an environmental impact, but rather that the lack of adequate fire protection services resulting from the project would have adverse effects on people and property. The university appealed.

The Court of Appeal reversed. With respect to the contention that the campus population increase would delay emergency response times and that would have real effects on the spread of fire and the safety of people and property, the Court responded: “While this may be true, the obligation to provide adequate fire and emergency medical services is the responsibility of the city [under the California Constitution.] The need for additional fire protection services is not an *environmental* impact that CEQA requires a project proponent to mitigate.” The Court noted that the EIR analyzes response times and their impact on public safety, “concludes that the project will cause response times to fall to an inadequate level and finds that 11 additional fire fighters will be required to maintain adequate service levels,” and “sets forth measures needed to provide adequate emergency services and concludes . . . that those measures will not have a significant effect on the environment.” In the Court’s view, that sufficed. It explained: “Although there is undoubtedly a cost involved in the provision of additional emergency services, there is no

authority upholding the city’s view that CEQA shifts financial responsibility for the provision of adequate fire and emergency response services to the project sponsor. The city has a constitutional obligation to provide adequate fire protection services. Assuming the city continues to perform its obligations, there is no basis to conclude that the project will cause a substantial adverse effect on human beings.”

The Court found the EIR adequate as well in all other respects, except one, its discussion of the project’s effects on two neighboring parks, and ordered a writ of mandate to issue accordingly.

The Court’s opinion may serve to help stem the practice of some agencies to use CEQA as a mechanism to help fund municipal services by treating projects’ needs for such services as environmental impacts and calling on project proponents to mitigate those impacts by paying for municipal services and facilities.

Crime and emergency response is provided by the Madera County Sherriff’s Department. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site. A secured electronic gate requiring an access code will help to deter crime on the site.

County Sherriff’s Department personnel are strapped for resources as well. With new development, the potential for criminal activity (including but not limited to: home burglaries, assaults, auto thefts) increases.

Currently, the Madera County’s Sherriff’s Department provides law enforcement and patrols in the planning area, operating from substations in Oakhurst on Road 425B.

A Federal Bureau of Investigations 2009 study suggests that there is on average of 2.7 law enforcement officials per 1,000 population for all reporting counties. The number for cities had an average of 1.7 law enforcement officials per 1,000 population.

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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XVI. RECREATION</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a) Less Than Significant Impact.** The development of residential buildings would be subject to the Quimby Act fee for the development of park facilities. The fee is dependent on the number of units and will be required to be paid prior to issuance of building permits. With the small scale of the project the impact is expected to be less than significant.



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

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

**Responses:**

**(a - c) No Impact.** In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

**(d) Less than Significant Impact.** The project site is located along Road 600 and would not result in impacts to emergency access.

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

Local circulation is largely deficient with these same State Highways and County Roads composing the only existing network of through streets. Most local streets are dead-end drives, many not conforming to current County improvement standards. Existing traffic, particularly during peak hour and key intersections, already exhibits congestion.

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

Madera County is predicted to experience significant population growth in the coming years (62.27 percent between 2008 and 2030). Accommodating this amount of growth presents a challenge for attaining and maintain air quality standards and for reducing greenhouse gas emissions. The increase in population is expected to be accompanied by a similar increase in vehicle miles traveled (VMT) (61.36 percent between 2008 and 2030).

Horizon Year	Total Population (thousands)	Employment (thousands)	Average Weekday VMT (millions)	Total Lane Miles
2010	175	49	5.4	2,157
2011	180	53	5.5	NA
2017	210	63	6.7	NA
2020	225	68	7.3	2,264
2030	281	85	8.8	2,277

Source: MCTC 2007 RTP

The above table displays the predicted increase in population and travel. The increase in the lane miles of roads that will serve the increase in VMT is estimated at 120 miles or 0.94 percent by 2030. This indicates that roadways in Madera County can be expected to become much more crowded than is currently experienced.

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.

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

Potentially Significant Impact      Less Than Significant With Mitigation Incorporation      Less Than Significant Impact      No Impact

**XVIII. TRIBAL CULTURAL RESOURCES**

Would the project:

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code

Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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

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

**Responses:**

**(a.i-a.ii) No Impact.** There are no sites listed on the historical registry on this parcel. The project site has been used as residential in the past and is utilizing the same foot print as the previous structure.

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**XIX. UTILITIES AND SERVICE SYSTEMS**

Potentially Significant Impact      Less Than Significant With Mitigation Incorporation      Less Than Significant Impact      No Impact

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

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

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Responses:**

**(a - e) Less Than Significant Impact.** 0-75 gallons of water per day are proposed for residential uses. This will be metered and provided by American Water.

A new septic system will be installed for the estimated 75 gallons of daily wastewater.

Solid waste collection with sorting for recyclables and garbage is required. The area is served by Emadco for solid waste pick-up.

**General Discussion**

Madera County has 34 County Service Areas and Maintenance Districts that together operate 30 small water systems and 16 sewer systems. Fourteen of these special districts are located in the Valley Floor, and the remaining 20 special districts are in the Foothills and Mountains. MD-1 Hidden Lakes, Bass Lake (SA-2B and SA-2C) and SA-16 Sumner Hill have surface water treatment plants, with the remaining special districts relying solely on groundwater.

The major wastewater treatment plants in the County are operated in the incorporated cities of Madera and Chowchilla and the community of Oakhurst. These wastewater systems have been recently or are planned to be upgraded, increasing opportunities for use of recycled water. The cities of Madera and Chowchilla have adopted or are in the process of developing Urban Water Management Plans. Most of the irrigation and water districts have individual groundwater management plans. All of these agencies engage in some form of groundwater recharge and management.

Groundwater provides almost the entire urban and rural water use and about 75 percent of the agricultural water use in the Valley Floor. The remaining water demand is met with surface water. Almost all of the water use in the Foothills and Mountains is from groundwater with only three small water treatment plants relying on surface water from the San Joaquin River and its tributaries.

In areas of higher precipitation (Oakhurst, North Fork, and the topographically higher part of the Coarsegold Area), groundwater recharge is adequate for existing uses. However, some problems have been encountered in parts of these areas due to well interference and groundwater quality issues. In areas of lower precipitation (Raymond-Hensley Lake and the lower part of the Coarsegold area), groundwater recharge is more limited, possibly requiring additional water supply from other sources to support future development.

Madera County is served by a solid waste facility (landfill) in Fairmead. There is a transfer station in North Fork. The Fairmead facility also provides for Household Hazardous Materials collections on Saturdays. The unincorporated portion of the County is served by Red Rock Environmental Group. Above the 1000-foot elevation, residents are served by EMADCO services for solid waste pick-up.

**XX. WILDFIRE**

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a - d) Less than Significant Impact.** The potential for the project to result in wildland fires is not anticipated to be significant. The project site is located on Road 600 has adequate access. Additionally, the project is located within 0.5 miles of a Madera County Fire Station. The project is located in a developed area and surrounded by residential and commercial uses.

**XIX. 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 substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

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"/>
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**Responses:**

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) Less than Significant Impact.** While there are some species of note in the quadrangle, there is no direct evidence that these species are exactly on the footprint of where this is going.

**(b - c) No Impact.** While there have been some minimal impacts identified through this study, none are considered significant in and of themselves, and/or cumulative inducing enough to be considered significant. With appropriate mitigations, those impacts can be reduced to less than significant or not significant.

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## **Bibliography**

Madera County General Plan

Raymond Area Plan

California Department of Finance

California Department of Transportation (CALTRANS)

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](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/>

Hamilton, Michael. June 19, 2018. RRM Design Group. Flood Analysis Memo.

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Fire Marshall's Office

Madera County Department of Public Works

Madera County Roads Department

Madera County Sheriff's Department

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012



ND 2022-01

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January 9, 2022

NEGATIVE DECLARATION

ND 2022-01

RE: Davis, Bruce – Conditional Use Permit #2021-026

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is on the southwest corner of the intersection of Road 600 and North Street (32236 Road 600) Raymond. The project is a request to allow a 2,348 square foot, three-unit, multi-family dwelling in a commercial zone district

ENVIRONMENTAL IMPACT:

An Initial Study has been conducted and findings have been made that the proposed project will have no significant effect on the environment.

BASIS FOR NEGATIVE DECLARATION:

- 1. Initial Study



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Community & Economic Development Department - Planning Division, 200 West 4<sup>th</sup> Street, Ste. #3100, Madera, California.

DATED: January 9, 2022

FILED:

PROJECT APPROVED: