

RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT

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

Norman L. Allinder, AICP
Director

PLANNING COMMISSION DATE: June 4, 2013

AGENDA ITEM: #2

CUP	#2013-015	Conditional Use Permit to allow a drainage basin
		Applicant/Owner: Madera County/Gregorio and Amalia Carbajal
APN	#049-140-020	
CEQA		Exempt

REQUEST:

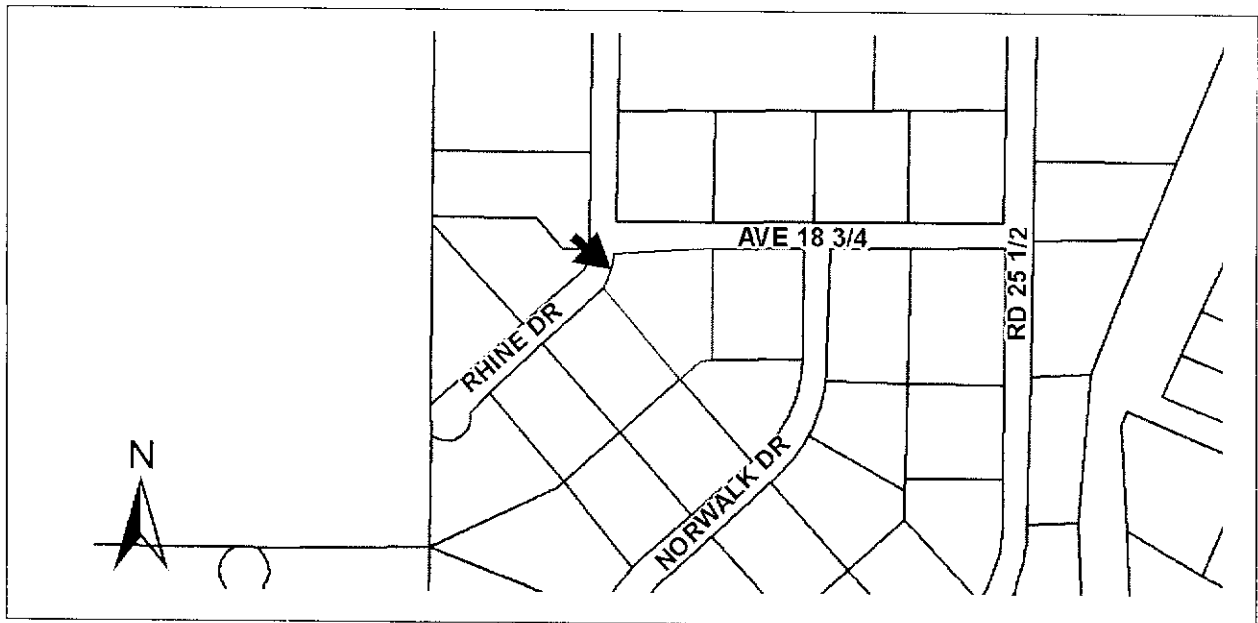
The application is for a conditional use permit to allow a drainage basin to alleviate drainage concerns for the surrounding area.

LOCATION:

The project is located on the south side of Avenue 18 3/4 at the southeast corner of its intersection with Rhine Drive (25350 Avenue 18 3/4), Madera.

ENVIRONMENTAL ASSESSMENT:

Pursuant to Public Resources Code 21084, this project is exempt from CEQA under Section 15301(c) and 15303 (d).



RECOMMENDATION: Approval of Conditional Use Permit #2013-015 subject to Conditions of Approval.

GENERAL PLAN DESIGNATIONS (Exhibit A):

SITE: VLDR (Very Low Density Residential) Designation

SURROUNDING: VLDR (Very Low Density Residential) Designation

ZONING (EXHIBIT B)

SITE: RRM/MHA (Residential Rural Multiple Family/Manufactured Housing Architectural Review Overlay) District

SURROUNDING: RRS-2/MHA (Residential Rural Multiple Family/Manufactured Housing Architectural Review Overlay) District

LAND USE:

SITE: Residential

SURROUNDING: Residential

SIZE OF PROPERTY (EXHIBIT C):

1.13 acres (area of project 0.176 acres)

ACCESS (EXHIBIT C):

The property is accessed on Avenue 18 ¾.

WILLIAMSON ACT:

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

BACKGROUND AND PRIOR ACTIONS:

No previous entitlements have been granted for this parcel. A single family dwelling was constructed in 1990.

PROJECT DESCRIPTION:

The application is for a conditional use permit to allow a drainage basin to alleviate drainage concerns for the surrounding area.

ORDINANCES/POLICIES:

Madera County County Code 18.94.160 governs public facilities and emergency services requiring conditional use permits in any zone district.

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

ANALYSIS:

The application is for a conditional use permit to allow a drainage basin to alleviate drainage concerns for the surrounding area. The intersection of Rhine Drive and Avenue 18 ¾ has experienced annual flooding and drainage issues for many years. The County has received numerous complaints from adjacent property owners and the public regarding the flooding at this intersection and its impact to driving conditions as well as private property in the vicinity.

The existing topography of the area causes storm water to collect at the intersection of Rhine Drive and Avenue 18 ¾, which results in the entire intersection being under water. Once the water has built up to a certain level, it then flows to the south through neighboring properties. The Road Department has conducted field research and determined the most cost effective solution in resolving the flooding issues is to construct a drainage basin at the corner of Rhine Drive and Avenue 18 ¾ where the flooding is occurring. The Road

Department purchased a 0.176 acre (7,671.85 square feet.) portion from APN: 032-742-011 to construct the drainage basin. The capacity of the proposed basin would be adequate enough to hold 12,150 cubic feet of water. The purchase of this portion would allow drainage to occur in a contained area thus increasing road safety, decreasing road repairs and reducing or eliminating private property nuisance.

A 6'-0" chain link fence is proposed to completely surround the basin with secure access for facility maintenance. Access will be taken from Avenue 18 ¾. Per the Road Department, the basin is proposed to be between 8'-0" to 12'-0" deep, depending on the soil classification.

Comments were received from the Engineering and Road Departments.

GENERAL PLAN CONSISTENCY STATEMENT:

The Conditional Use Permit to allow the drainage basin, if approved, would be consistent with the existing zoning ordinance section 18.94.160 requiring conditional use permits for public facilities in any zone district. The zone district of RRM/MHA (Residential Rural Multiple Family/Manufactured Housing Architectural Review Overlay) is consistent with the general plan designation of VLDR which allows for single family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses.

FINDINGS:

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

1. *The proposed project does not violate the spirit or intent of the zoning ordinance.* The property is zoned RRM/MHA (Residential Rural Multiple Family/Manufactured Housing Architectural Review Overlay) District. The zoning ordinance (section 18.94.160) allows for public facilities in any zone district with a conditional use permit.
2. *The proposed project (request) is not contrary to the public health, safety or general welfare.* The proposed drainage basin will improve the current flooding situation which is contrary to the public health, safety, and general welfare of the County.
3. *The proposed project (request) is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors.* The proposal will not involve the use of hazardous materials. No emissions of any kind will result. Minimal dust and noise will be produced from temporary construction of the drainage basin.
4. *The proposed project (request) will not for any reason cause a substantial, adverse effect upon the property values and general desirability of the neighborhood or of the County.* The proposal is consistent with the residential uses in the area as it will protect the residents within the area from flooding.

RECOMMENDATION:

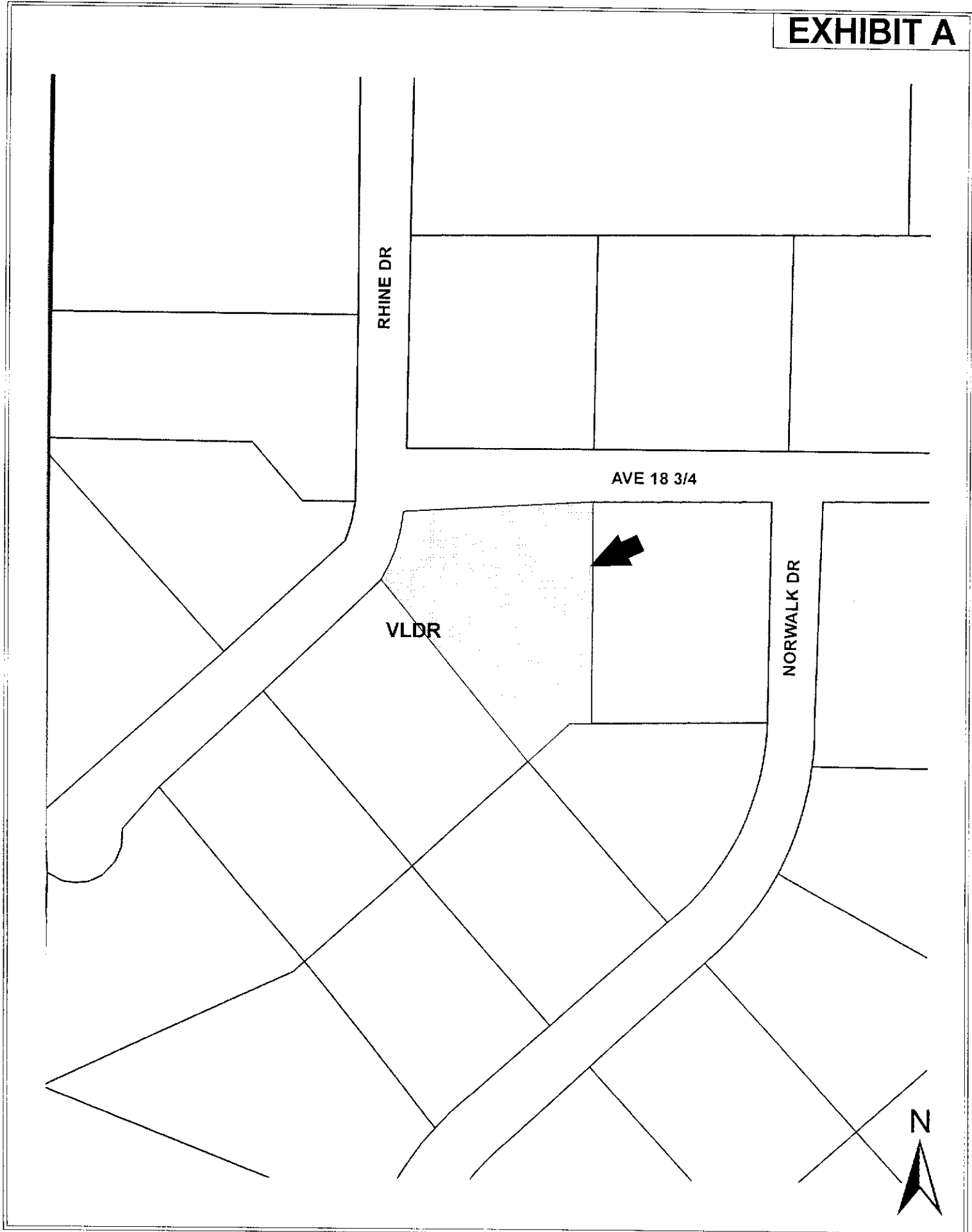
The analysis provided in this report supports approval of CUP #2013-015 and approval of the Categorical Exemption as presented.

CONDITIONS:

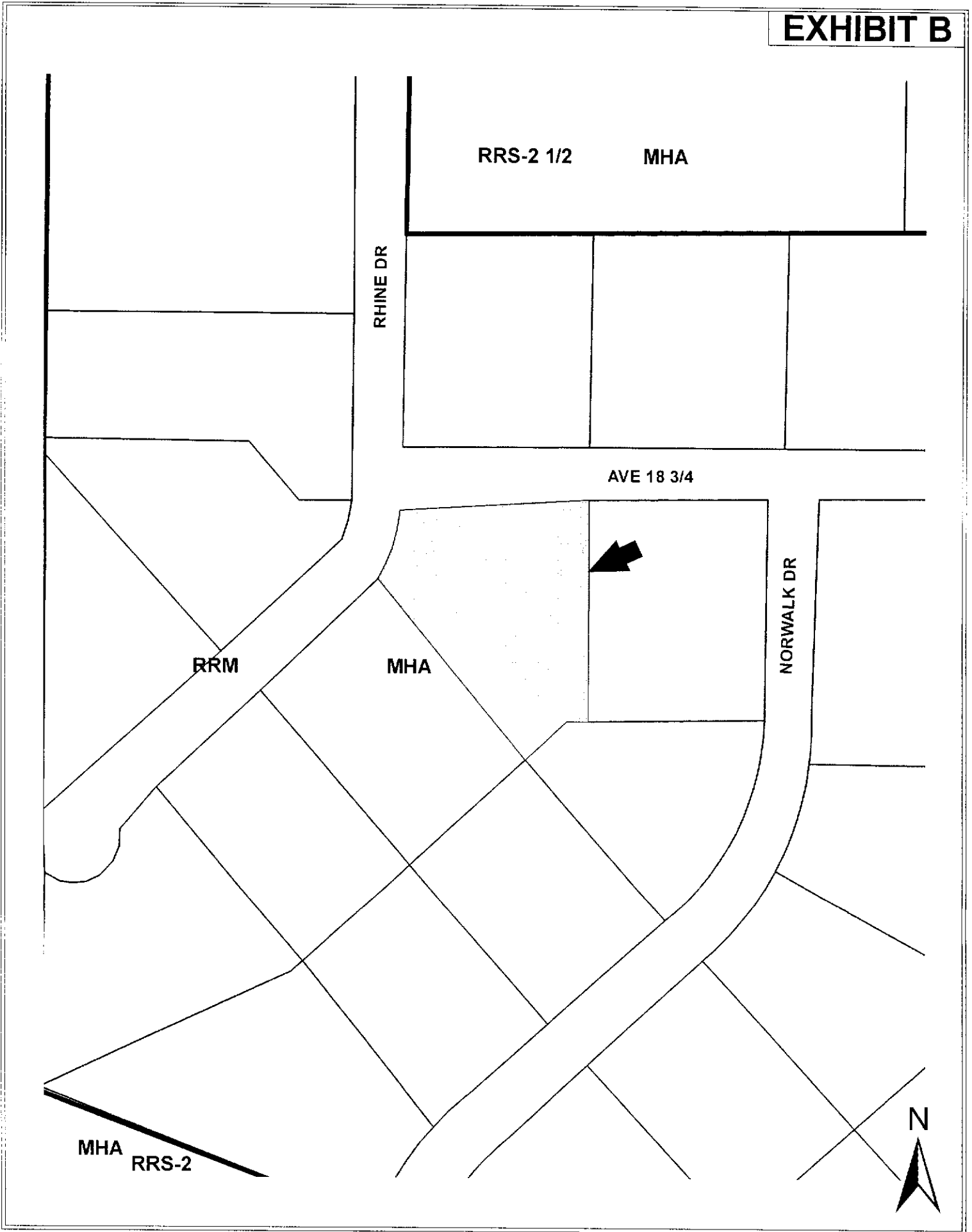
See attached.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D1, Site Plan A
5. Exhibit D2, Site Plan B
6. Exhibit E, Aerial Map
7. Exhibit F, Topographical Map
8. Exhibit G, Operational Statement
9. Exhibit H, Engineering Department Comments
10. Exhibit I, Conditions of Approval Monitoring and Reporting Program

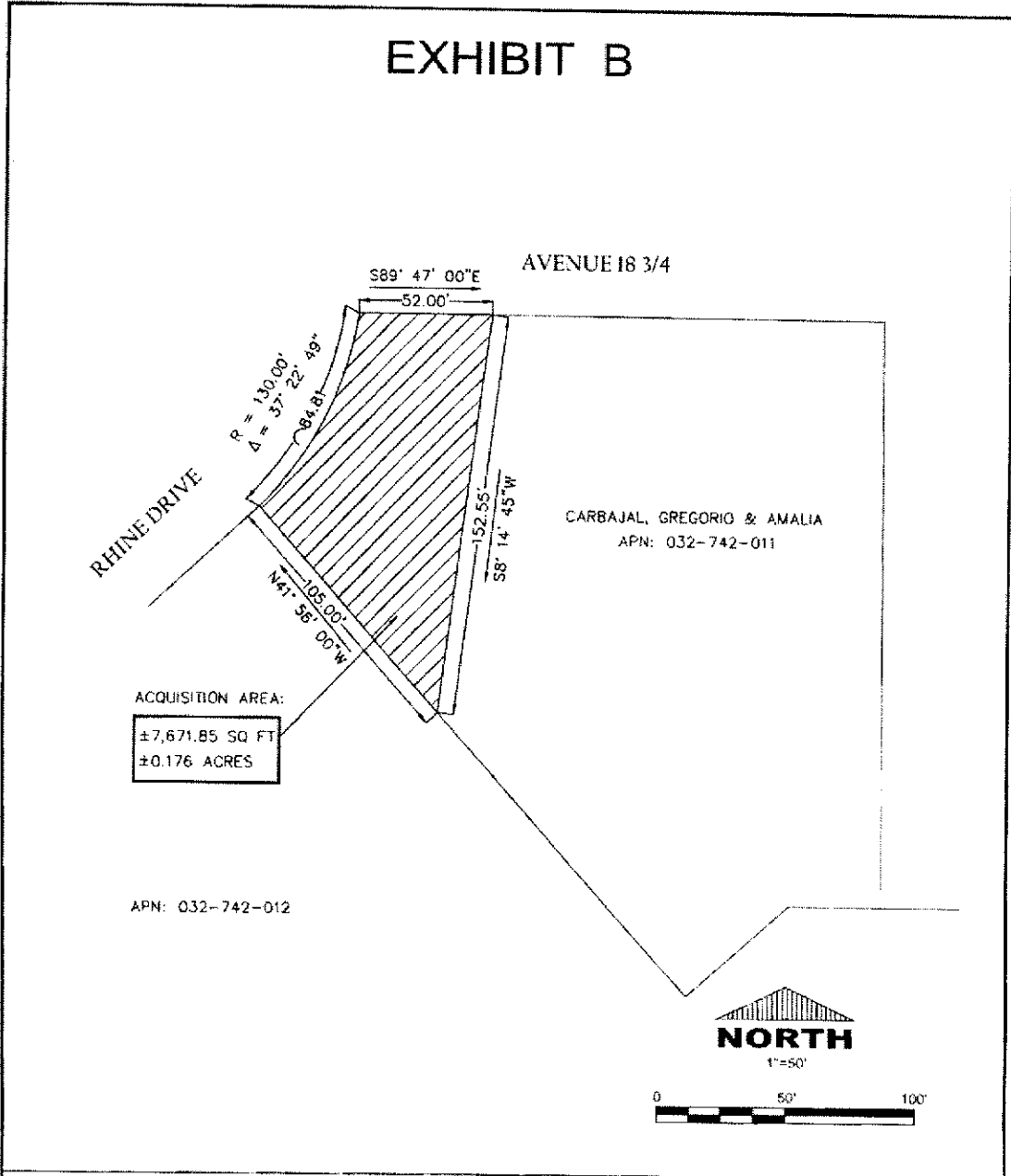


GENERAL PLAN MAP



ZONING MAP

EXHIBIT B



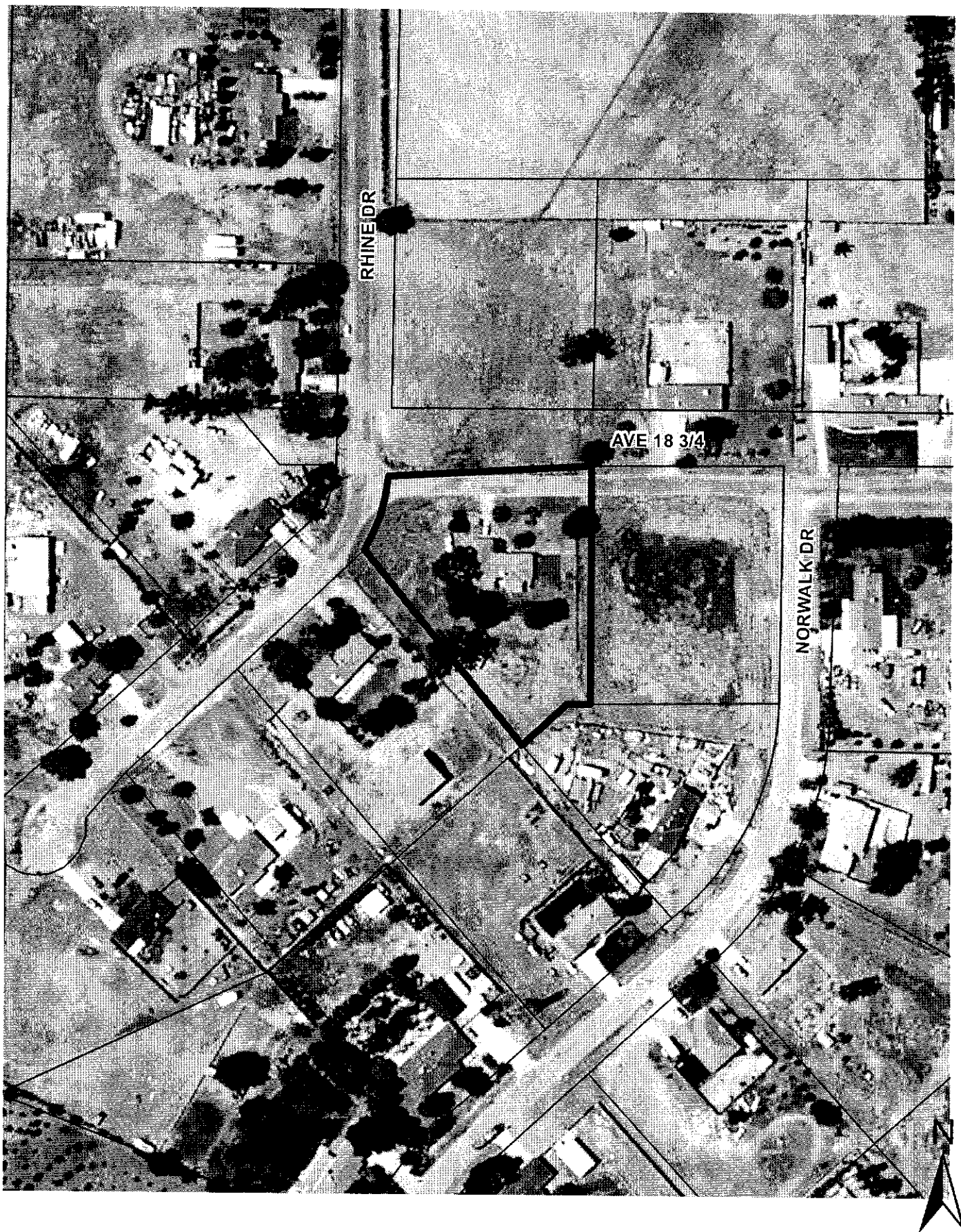
2037 W. CLEVELAND AVE., MS 'D' MADERA, CA 93637		COUNTY OF MADERA ROAD DEPARTMENT		PH: (559) 675-7811 FAX: (559) 675-7631
PROJECT NAME: DRAINAGE IMPROVEMENTS AT THE INTERSECTION OF RHINE DR. AND AVE. 18 3/4		DRAINAGE BASIN ACQUISITION DRAINAGE IMPROVEMENTS APN 032-742-011		SCALE: AS SHOWN
CO. PROJECT NO.: N/A FEDERAL PROJECT NO.: N/A				DATE: 12/11/2012
				DRAWN BY: J. CHANDLER
				CHECKED BY: D. GONZALES
				SHEET NO.: 1 OF 1

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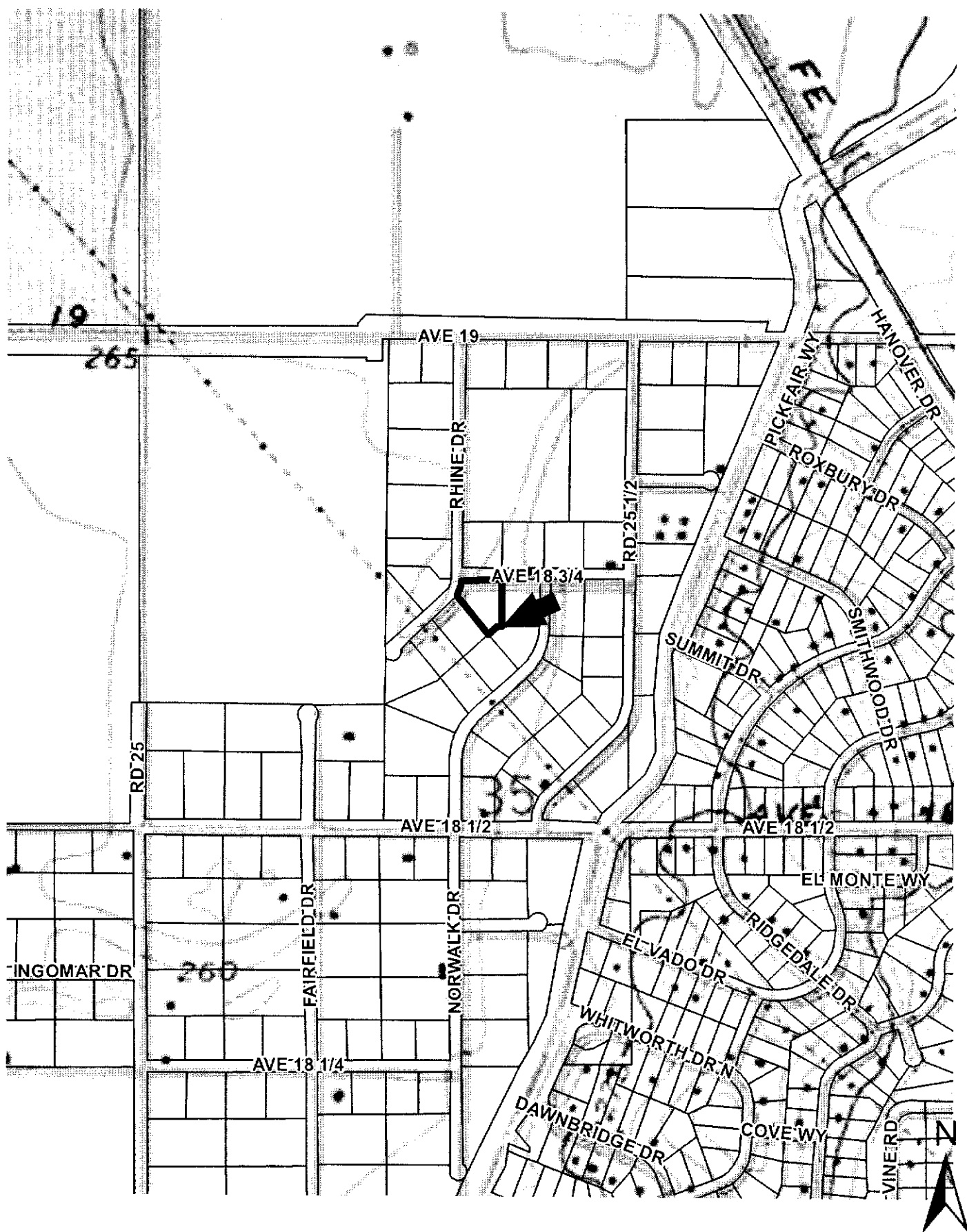
SITE PLAN A



SITE PLAN B



AERIAL MAP



TOPOGRAPHICAL MAP

Madera County Planning Department
2037 W. Cleveland Avenue MS-G, Madera CA 93637

OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

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

1. Please provide the following information

Assessor's Parcel Number: 032-742-011 portion of
Applicant's Name: Madera County Road Dept.
Address: 2037 W. Cleveland Ave. Madera Ca
Phone Number: 559-675-7811

2. Describe the nature of your proposal/operation.

ponding basin

3. What is the existing use of the property?

residential

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?

N/A

5. What are the proposed operational time limits?

Months (if seasonal): N/A
Days per week: N/A
Hours (from ___ to ___): N/A
Total Hours per day: N/A

7. How many customers or visitors are expected?

Average number per day: N/A
Maximum number per day: N/A
What hours will customers/visitors be there? N/A

8. How many employees will there be?

Current: N/A
Future: N/A
Hours they work: N/A
Do any live onsite? If so, in what capacity (i.e. caretaker)?

N/A

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

10. **Will there be any service and delivery vehicles?**

Number: N/A

Type: N/A

Frequency: N/A

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

N/A

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

REFER TO SITE PLAN

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

N/A

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

N/A

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

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

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

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

NONE, Once construction is complete

19. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).
N/A
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?
N/A
21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?
N/A
22. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)
PONDING BASIN EXCAVATION
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.
N/A
24. Locate and show all bodies of water on application plot plan or attached map.
SEE SITE PLAN
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.
SEE SITE PLAN
26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?
N/A
27. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)
N/A
28. How do you see this development impacting the surrounding area?
THE BASIN WILL RELIEF DRAINAGE CONCERNS
29. How do you see this development impacting schools, parks, fire and police protection or special districts?
N/A
30. If your proposal is for commercial or industrial development, please complete the following;

Proposed Use(s): N/A

Square feet of building area(s): N/A

Total number of employees: N/A

Building Heights: N/A

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

SEE SITE PLAN

End

Engineering and General Services

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

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

engineering@madera-county.com

MEMORANDUM

TO: Jamie Bax
FROM: Madera County
DATE: May 23, 2013
RE: Madera County, Road Department - Conditional Use Permit - Madera (032-742-011-000)

Comments

RE: CUP 2013-015

Project must comply with the 14.50 (Grading, Drainage, and Erosion Control) county ordinance requirements.

Please contact:

Dario Dominguez
Engineering Department
559-675-7817 ext 3322
dario.dominguez@madera-county.com

