

Community and Economic Development Planning Division

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PLANNING COMMISSION DATE: March 01, 2015

AGENDA ITEM: #1

CUP	#2015-013	An amended Conditional Use Permit and Parking Variance to allow for a variety retail Dollar General store.
VA	#2016-001	
APN	#054-450-001	Parking variance to allow 28 spaces.
CEQA	#2016-002	Applicant: Embree Asset Group Mitigated Negative Declaration

REQUEST:

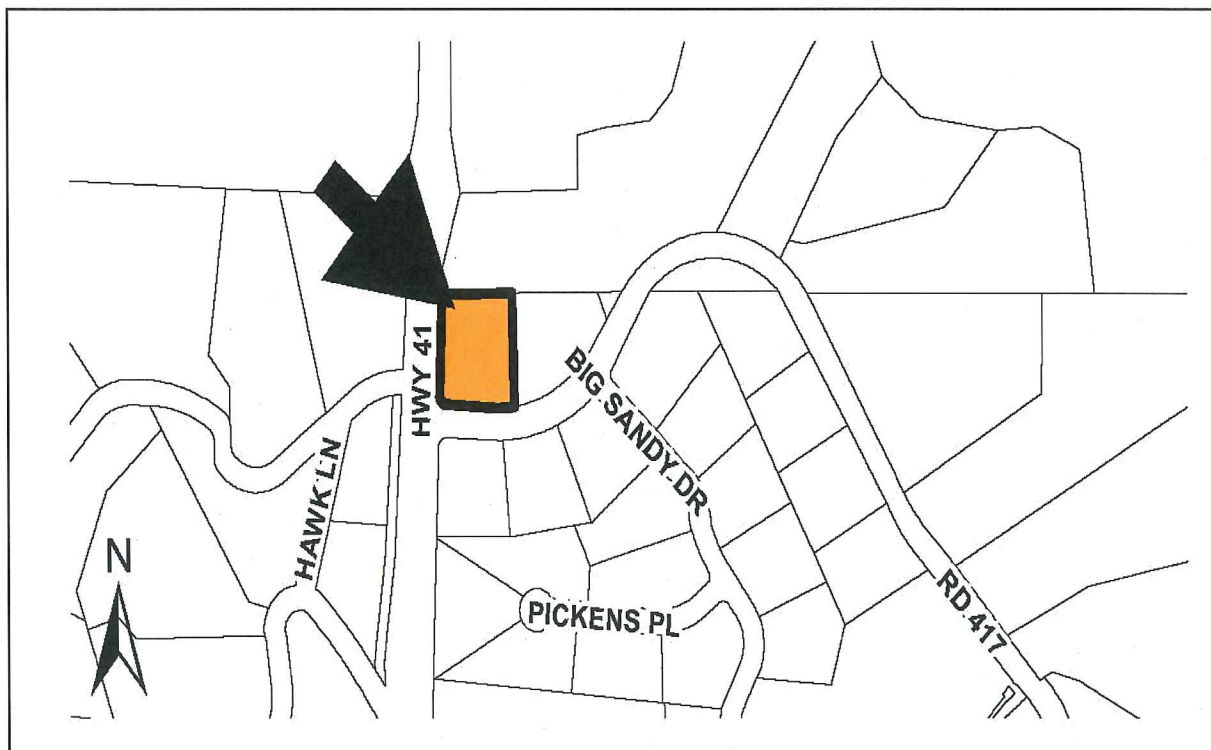
This request is for an amended conditional use permit and variance to allow a 9,100 square foot variety retail facility (Dollar General Store) with 28 parking spaces.

LOCATION:

The project site is located on the northeast corner of the intersection of Road 417 and Highway 41 in Coarsegold, CA (no situs).

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2016-002) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Approval of the Amended Conditional Use Permit (CUP #2015-013) and Parking Variance (VA #2016-016) with its corresponding Mitigated Negative Declaration (MND #2016-002) and Mitigation Monitoring & Reporting Program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: NC (Neighborhood Commercial) Designation
SURROUNDING: NC (Community Commercial), RR (Rural Residential), and VLDR (Low Density Residential) Designations

COARSEGOLD AREA PLAN:

SITE: NC (Neighborhood Commercial) Designation
SURROUNDING: NC (Community Commercial), RR (Rural Residential), and VLDR (Low Density Residential) Designations

ZONING (Exhibit B):

SITE: PDD (Planned Development District) District
SURROUNDING: CRM (Commercial, Rural, Median), ARF (Agricultural, Rural, Foothills), RMS (Residential, Mountain, Single Family) Districts

LAND USE:

SITE: Undeveloped
SURROUNDING: Commercial (West), residential (East & South), and undeveloped (North).

SIZE OF PROPERTY: 1.25 acres

ACCESS: Access to the site will be from Road 417.

BACKGROUND AND PRIOR ACTIONS:

The project site was originally zoned as Residential, Mountain, Single Family (RMS) and had a land use permit (CZ 66-17) to allow for a temporary commercial real estate office. This permit has since been expired. In 1991, a zone change (CZ 91-71) changed the designation from RMS to PCD (Planned Commercial District). A conditional use permit (CUP 93-07) was approved to allow for a mini retail and customer service center with a property sales office. A setback variance (ZV 95-51) was then approved to allow for a 8 feet side setback, 16 feet front setback, and 22 feet and 26 feet side setback from Highway 41.

There are no previous building permits on file, therefore the site remains undeveloped. In addition, all Planned Commercial Districts (PCD) were changed to PDD (Planned Development District) in January of 2012.

PROJECT DESCRIPTION:

The applicant is proposing a 9,100 square foot variety retail facility for a Dollar General store. The business will be open seven days a week, from 6:00am to 9:00pm selling

general household items which will be produced elsewhere off-site. There will be approximately eight employees, four employees working at a time doing eight-hour shifts. Up to four deliveries per day will occur, however, only up to three full-size trucks per week. Access to the project will be taken from Road 417. A left turn lane directing traffic into the site will be built on Road 417 in order to alleviate traffic. There is a proposed building/wall sign over the front entrance and also a freestanding sign at the southwest corner of the property.

County parking regulations requires 37 parking spaces (1 space for every 250 sq. ft. of gross floor area for retail); however, the applicant is also applying for a parking variance of 28 parking spaces. The project site and parking lot will be graded and paved with asphalt and concrete. The 28'-6" tall building will be constructed with gray and bronze colored stone and metal.

Water will be supplied to the site via an existing water main from Road 417. Water use is expected to be 30,000 gallons annually for domestic use and 540,000 gallons annually for irrigation. However, all landscaping on the property will be drought tolerant with no grass or turf. There will be an on-site septic system and runoff basin as well.

The site is currently undeveloped and is surrounded by commercial and residentially zoned properties. To the north is undeveloped, to the west is Highway 41 and then commercial properties, to the east are residential properties, and to the south is Road 417 and more residential properties. The project site will have a 6'-0" high masonry block wall on the eastern property line since the site neighbors residentially zoned properties.

ORDINANCES/POLICIES:

Madera County Code 18.67 of the Madera County Zoning Ordinance outlines allowed uses within the PDD (Planned Development District) zone.

Madera County Code 18.67.190 of the Madera County Zoning Ordinance outlines allowed major site modifications with a conditional use permit within the PDD zone.

Madera County General Plan Policy Document (pg.10) outlines the allowable uses within the NC (Neighborhood Commercial) designation.

Madera County Code 18.102.040 B of the Madera County Zoning Ordinance outlines vehicular parking space requirements given the type of use of the project.

Madera County Code 18.106 of the Madera County Zoning Ordinance outlines allowed uses with a variance.

ANALYSIS:

The general plan designation, Neighborhood Commercial, allows for commercial uses which are intended to serve the surrounding area. This designation includes retail uses that are consistent with the proposed variety retail business. The current zone district, Planned Development District (PDD), allows for general commercial uses if a conditional use permit application is approved.

The proposal is consistent with other uses in the area. The site is designated as Neighborhood Commercial by the general plan. The properties across Highway 41 to the west are zoned and developed for commercial and retail uses. The surrounding uses to

the north, east, and south are undeveloped or residential. A six feet masonry block wall will be built on the eastern and northern property lines in order to provide an aesthetic and noise buffering from the neighboring and existing residentially zoned properties.

In addition to the conditional use permit, the applicant is also applying for a parking variance because the project would not have adequate parking. The County's parking regulations require 1 space for every 250 square feet of retail space or 37 total spaces. Due to the topography of the project site and the proposed project details, only 28 spaces can be provided and is requested as such in the parking variance.

Air quality, water quality, noise, geology, and traffic were concerns addressed by the Initial Study (Exhibit J). However, traffic is a particular concern because of several public comments, including comments from the Indian Lakes Estates Homeowners' Association (Exhibit M & N). In order to alleviate traffic on Road 417 and along Highway 41, the project is building a left turn lane on Road 417 for traffic intending to access the project site. In addition, the Public Works department will require the applicant to build a right-turn pocket on Road 417 onto north-bound Highway 41.

The California Department of Transportation (Caltrans)'s comments for this project included a request for the applicant to resubmit the project site plan per Caltrans' standards (Exhibit L). After discussions with Caltrans, Madera County Public Works Department, and the applicant, it was determined that the applicant would need to seek out clarification of Caltrans' comments and resubmit any site plans to Caltrans themselves since the applicant would likely need encroachment permits from Caltrans.

FINDINGS:

The following findings of fact must be made by the Planning Commission to grant approval of a conditional use permit and parking variance application. Staff recommends that the Planning Commission concur with the following in light of the proposed conditions of approval.

Conditional Use Permit (CUP #2015-013):

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to other property in the vicinity having identical zoning classification.*

The proposed project does not violate the spirit or intent of the zoning ordinance nor the general plan designation of Neighborhood Commercial. Although there are no listed uses in the PDD zone, any use that does not violate the regulations set forth by the zoning ordinance or general plan designation would be allowed with a conditional use permit. The proposed business will have minimal environmental impacts to the site and the surrounding properties with mitigation measures. In addition, the parcel has unusual topography and two entitlements on the western and southern portion of the site that limits development.

2. *The granting of this entitlement is necessary for the preservation and enjoyment of substantial property rights of the petitioner, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

Granting this Conditional Use Permit would allow the property owner to develop the land in a manner that is compliant to County policies despite being on a parcel that is hindered by unusual topography and entitlements.

3. *The granting of this entitlement will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood*

The proposed project is not contrary to the public health, safety, or general welfare. The proposed business will be subject to Environmental Health, Fire, & Building codes as well. The proposed project will not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors as long with mitigation measures. The impact associated with the construction or project operations such as noise, water quality, air quality, or traffic will be mitigated through measures described in the Mitigation Monitoring Report. The applicant will be required to obtain permits and comply with regulations from Environmental Health and the Fire Marshal's Office. Mitigation measures will mitigate impacts to a level that will not create nuisance to surrounding properties. The proposed project will not cause a substantial adverse effect upon the property values and general desirability of the neighborhood of the County. The site undeveloped and is designated as Neighborhood Commercial by the General Plan.

4. *The granting of this entitlement shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.*

Granting this Conditional Use Permit will not constitute a special privilege inconsistent with the limitations place upon properties in the vicinity with similar zoning because the proposed project fits within the Neighborhood Commercial designation and is surrounded with commercial uses to the west of the site.

5. *Because of special circumstances, applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.*

The 1.25 acre parcel adequately supports the proposed project despite having two easements on the western and southern portion of the land that limits the actual space to develop on.

Parking Variance (VA #2016-001):

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to other property in the vicinity having identical zoning classification.*

The parking variance is being applied because the parking plan does not meet the standards set forth by the zoning ordinance but the property itself is hindered by two separate easements on the western and southern portions of the site. However, the request does not violate the spirit or intent of the zoning ordinance or general plan if approved. In addition due to the topography and shape of the parcel, with a 9,100 square feet building, the parcel would not be able to support 37 parking spaces without impeding into the on-site circulation patterns for delivery trucks. A traffic memo completed by a consulting traffic engineer (Exhibit I) states that 28 spaces should be adequate to support the expected customer traffic.

2. *The granting of this variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

Granting this variance would allow the property owner and applicant to better utilize the site despite the topography and easements of the site.

3. *The granting of this variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood*

The parking variance received no comments from Environmental Health, Fire, or the Public Works Departments. The variance is not expected to violate public health, safety, or general welfare. The parking variance will not pose any hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors. The parking variance will not cause a substantial adverse effect upon the property values and general desirability of the neighborhood of the County. The parcel is 1.25 acres but is considerably smaller given that there are two easements, one on the western side and one on the southern portion of the parcel that limits development.

4. *The granting of this variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.*

Granting this variance would not constitute a special privilege because other parcels with similar zonings do not have the same disadvantages in terms of topography and on-site easements. In addition, the parking variance would still provide an adequate amount of parking spaces for a project of this size with similar circumstances as shown in the parking study (Exhibit H).

5. *Because of special circumstances, applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.*

**CUP #2012-010
VA #2016-001
STAFF REPORT**

February 19, 2016

The topography and the easements on the project site hinder the property owners/applicant's ability to better utilize the site without impeding into delivery truck routes. Granting the variance would alleviate this problem.

GENERAL PLAN CONSISTENCY:

The proposal is consistent with commercial services allowed within the Neighborhood Commercial designation. The current PDD zone is consistent with applicable policies for commercial development within the General Plan as well.

RECOMMENDATION:

The analysis provided in this report supports approval of Conditional Use Permit (CUP #2015-013), Parking Variance (VA #2016-001), Mitigated Negative Declaration (MND #2016-002), and Mitigation Monitoring Program.

CONDITIONS

See attached.

ATTACHMENTS:

1. Conditions of Approval
2. Mitigation Monitoring Report
3. Exhibit A, General Plan Map
4. Exhibit B, Zoning Map
5. Exhibit C, Assessor's Map
6. Exhibit D, Site Plan
7. Exhibit E, Aerial Map
8. Exhibit F, Topography Map
9. Exhibit G, Operational Statement
10. Exhibit H, Traffic/Parking Memo & Study
11. Exhibit I, Fire Marshal Department
12. Exhibit J, Environmental Health Department Comments
13. Exhibit K, Public Works Department Comments
14. Exhibit L, Caltrans Comments
15. Exhibit M, Indian Lakes Estates Property Owners' Association Comments
16. Exhibit N, Public Requests & Comments
17. Exhibit O, Initial Study
18. Exhibit P, Mitigated Negative Declaration

CONDITIONS OF APPROVAL

PROJECT NAME:

Conditional Use Permit #2015-013 - Embree Asset Group

PROJECT LOCATION:

Northeast of the intersection of Road 417 and Highway 41 in Madera CA. There is no current situs address.

PROJECT DESCRIPTION:

Request for an amended conditional use permit to allow a 9,100 sq. ft. variety retail store and accompanying parking variance for 28 parking spaces.

APPLICANT:

John Shields (Embree Asset Group) - (512) 876-7155

CONTACT PERSON/TELEPHONE NUMBER:

Joey Dinh - Madera County Planning (559) 675-7821

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health Department					
1	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, Public Works or Regional Water Quality Control Board. Indicate on the plot plan the location of existing and proposed private sewage disposal system(s) and it must comply with all construction requirements as it pertains to the 2013 California Plumbing Code Appendix H and Madera County Code 14.20.				
2	Applicant must identify Water Supply Source. If the parcel is served by a private well indicate all well(s) located on the property and its intended use. The water well(s) to be used on site for this project, shall be approved and permitted by this department and may be subject to regulations as a "Public Water System". "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. The Water System must comply with the State Drinking Water Program (DWP) Standards.				
3	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.				
4	If the facility handles/stores hazardous materials at quantities at or above (55 gallons, 500 lbs or 200 cu.ft compressed gas) or generates hazardous waste your facility will be regulated by this department under (Article I, Chapter 6.95, of the California Health & Safety Code Section 25503.5).				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
5	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. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this department prior to commencement of any work activities.				
Fire Department					
1	Fire flow capable of meeting minimum California Fire Code standards of 1,500 gpm at 20psi for 2 hours is required from a county standard fire hydrant within 400 feet of all portions of the building as measured by drivable access. If fire flow cannot be obtained a water tank may be required to be placed on the project site. Provide documentation from Hillview Water Company that flows exist.				
Planning Department					
1	All signage shall be approved by the Planning Department prior to installation				
2	The applicant shall provide a revised parking plan that complies with the County parking regulations for on-site parking. The retail facility must have a minimum of 37 parking stalls within the proposed plan.				
4	Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.				
5	The project shall operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.				
6	All parking and circulation areas within the proposed project site shall be paved with asphalt, concrete or compacted gravel approved by the Madera County Planning Department. All internal parking and circulation areas within the project site shall be maintained in a dust-free condition.				
7	A solid masonry wall no less than six feet in height shall be constructed along any property lines that neighbors residentially developed properties.				
8	A landscaping and irrigation plan shall be submitted to the Planning Department for review and approval prior to the release of the conditional use permit. The plan shall show the type of species to be planted, along with their size, location, spacing, etc. Sizing of plants and or trees shall be adequate so as to provide, where required, a fully functional screen within three years of normal growth. The landscaping shall be kept viable and free of weeds and debris.				
9	In accordance with "Attachment C - Description and General Applicable Conditions for Ultimate Typical Cross Sections for Highway 41 and 49 in Madera County", the applicant is to dedicate a portion of the development to satisfy requirements for a 128-foot roadway design with 4-foot median.				
10	Prior to the submittal of a building permit for the structure, the applicant must submit a revised elevation plan reflecting increased architectural features for the front and sides of the building. (i.e. trellises, window treatments).				
Public Works DEPARTMENT					
1	On frontage roads and in areas where the maximum legal vehicle must be accommodated, standard truck templates should be used to determine if adequate turning radii have been achieved at the proposed access approach.				

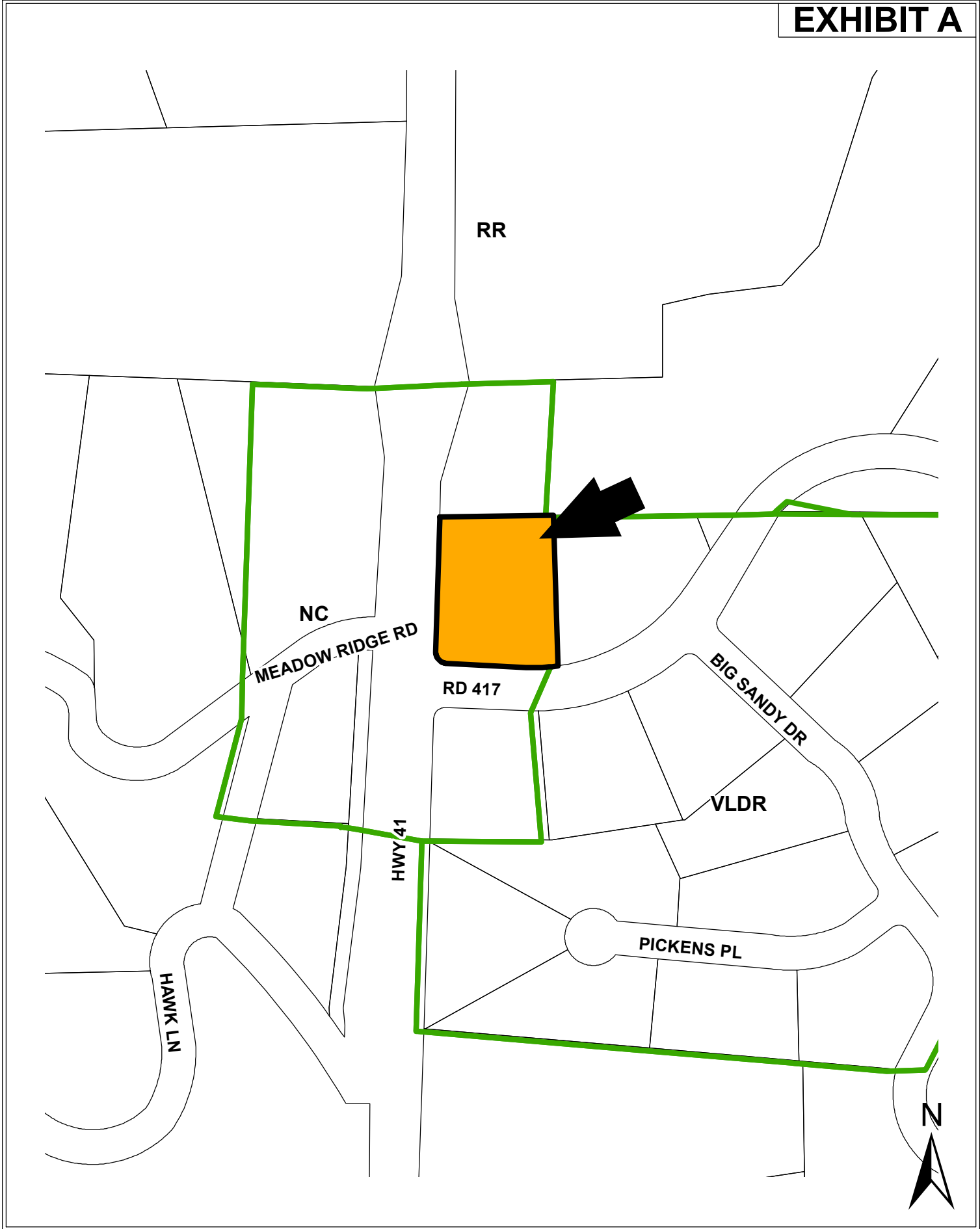
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
2	All driveway approaches accessing the site shall be built to a commercial approach standard(s) 20' minimum as described in the permit per the County Standard ST-27. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction.				
3	The developer is to provide smooth pavement taper and transition width east of the developing site from existing pavement to the limit of construction of the proposed development.				
4	The developer is to retrofit the existing pavement markings and striping to accommodate the proposed development.				
5	The parcel shall provide and maintain its own drainage system and all on-site runoff shall be contained on site. The developer shall provide flood control or drainage systems within his development to carry storm runoff both tributary to and originating within the development in accordance with the flood control practices established by the county. Post development drainage flow shall be limited to the predevelopment rate.				
6	The applicant shall submit a grading, drainage plan, if applicable, drainage or onsite storage calculations to the Public Works Department for review and approval. This plan shall identify onsite retention for any increase in storm water runoff generated by the proposed development. The grading, drainage plan, and calculations shall be prepared by a licensed professional.				
7	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.				
8	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPS to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.				
9	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.				

MITIGATION MONITORING REPORT

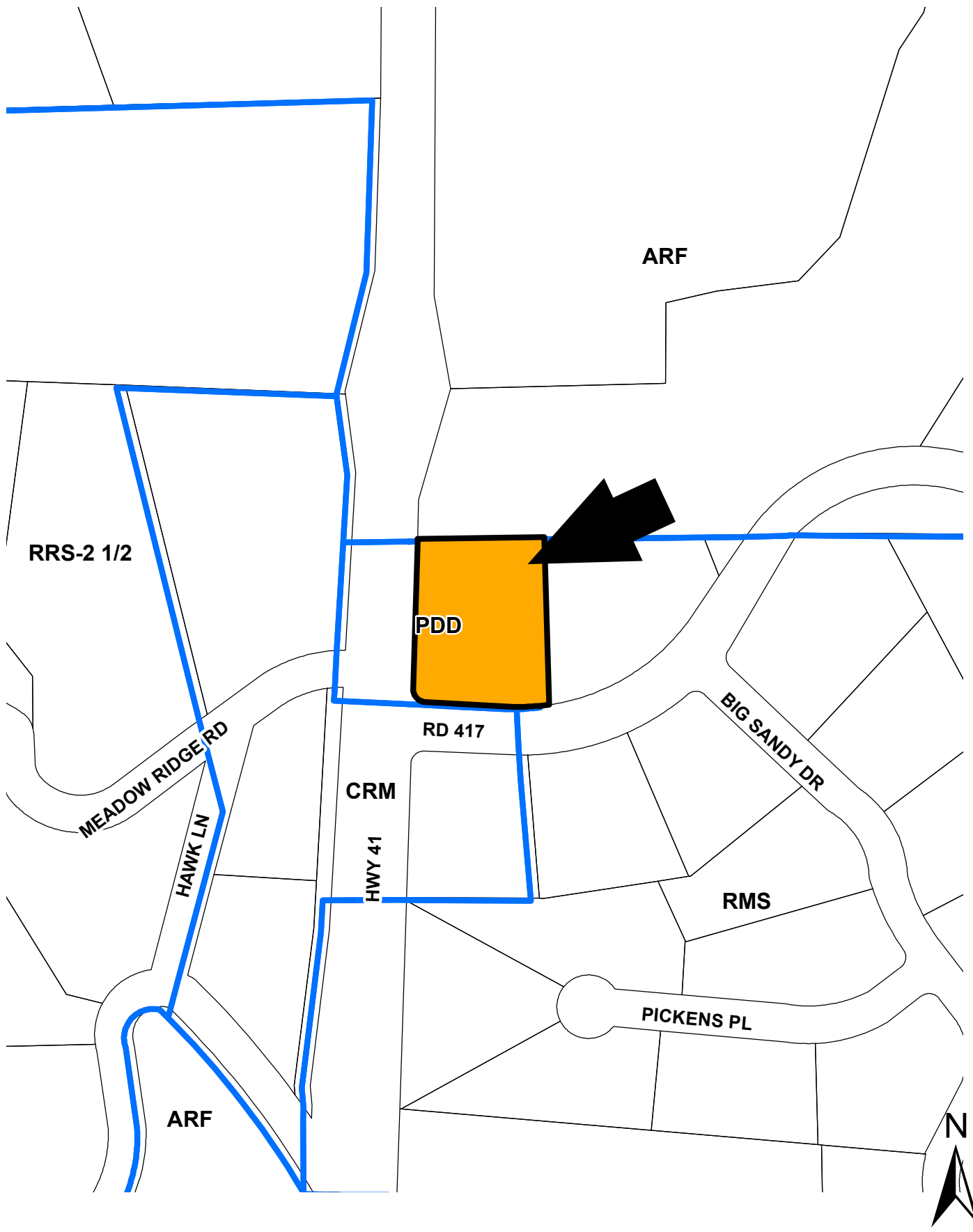
MND #

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
Agricultural Resources								
Air Quality								
	Construction activities are limited to the hours of seven a.m. and seven p.m. Monday through Friday and nine a.m. and five p.m. on Saturdays. Construction activities will be prohibited on Sundays.	Construction	Madera County Planning Department	Madera County Planning Department				
Biological Resources								
Cultural Resources								
Geology and Soils								
	The applicant must submit detailed grading and drainage plans when applying for permits with the Madera County Public Works Department. In addition, the applicant must comply with any applicable regulations from the Public Works Department.	Pre-Construction	Madera County Public Works Department	Madera County Public Works Department				
Hazards and Hazardous Materials								
1	A fire inspection shall be conducted prior to the release of the Conditional Use Permit to ensure compliance with applicable fire codes and regulations for storage and stacking of tires.	Pre-Construction	Madera County Fire Marshall's Office	Madera County Fire Marshall's Office				
2	The operator must complete and submit a Business Activities Declaration Form with the CUPA Program with the Environmental Health Department before the release of the Conditional Use Permit. The operator must obtain all necessary Environmental Health Department permits prior to any construction activities on site.	Pre-Construction	Madera County Environmental Health Department	Madera County Environmental Health Department				
Hydrology and Water Quality								
1	The applicant must submit detailed grading and drainage plans when applying for permits with the Madera County Public Works Department. In addition, the applicant must comply with any applicable regulations from the Public Works Department.	Pre-Construction	Madera County Public Works Department	Madera County Public Works Department				
Land Use and Planning								
Mineral Resources								
Noise								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
1	Construction activities are limited to the hours of seven a.m. and seven p.m. Monday through Friday and nine a.m. and five p.m. on Saturdays. Construction activities will be prohibited on Sundays.	Construction	Madera County Planning Department	Madera County Planning Department				
2	To mitigate potential noise impacts due to on-site activities, daily hours of operation and special events shall be limited between the hours of 6:00 a.m. and 9:00 p.m.	Duration of Project	Madera County Planning Department	Madera County Planning Department				
3	Construct and maintain a six foot masonry block wall along any property lines that neighbor residentially developed properties.	Construction/Duration of Project	Madera County Planning Department	Madera County Planning Department				
Population and Housing								
Public Services								
Recreation								
Transportation and Traffic								
1	Applicant will submit plans to the Madera County Public Works Department to construct a left hand turning lane on Road 417 for any traffic trying to gain access to the project site and also a right turning pocket on Road 417 for traffic continuing onto North-bound Highway 41 in accordance to Madera County standards.	Pre-Construction	Madera County Public Works Department	Madera County Public Works Department				
Utilities and Service Systems								



GENERAL PLAN MAP



ZONING MAP

54-45

TAX AREA NO. 62 05



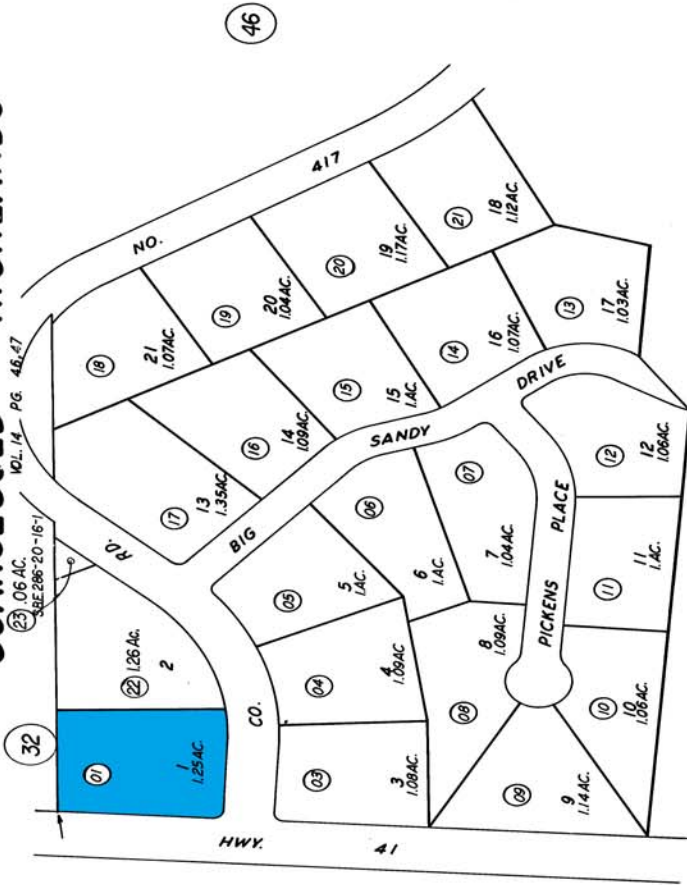
SCALE 1"=200'

SEC. 20 T8S R21E



ASSESSOR'S MAP NO. 54-45
COARSEGOLD
COUNTY OF MADERA, CALIF.
1967

COARSEGOLD HIGHLANDS

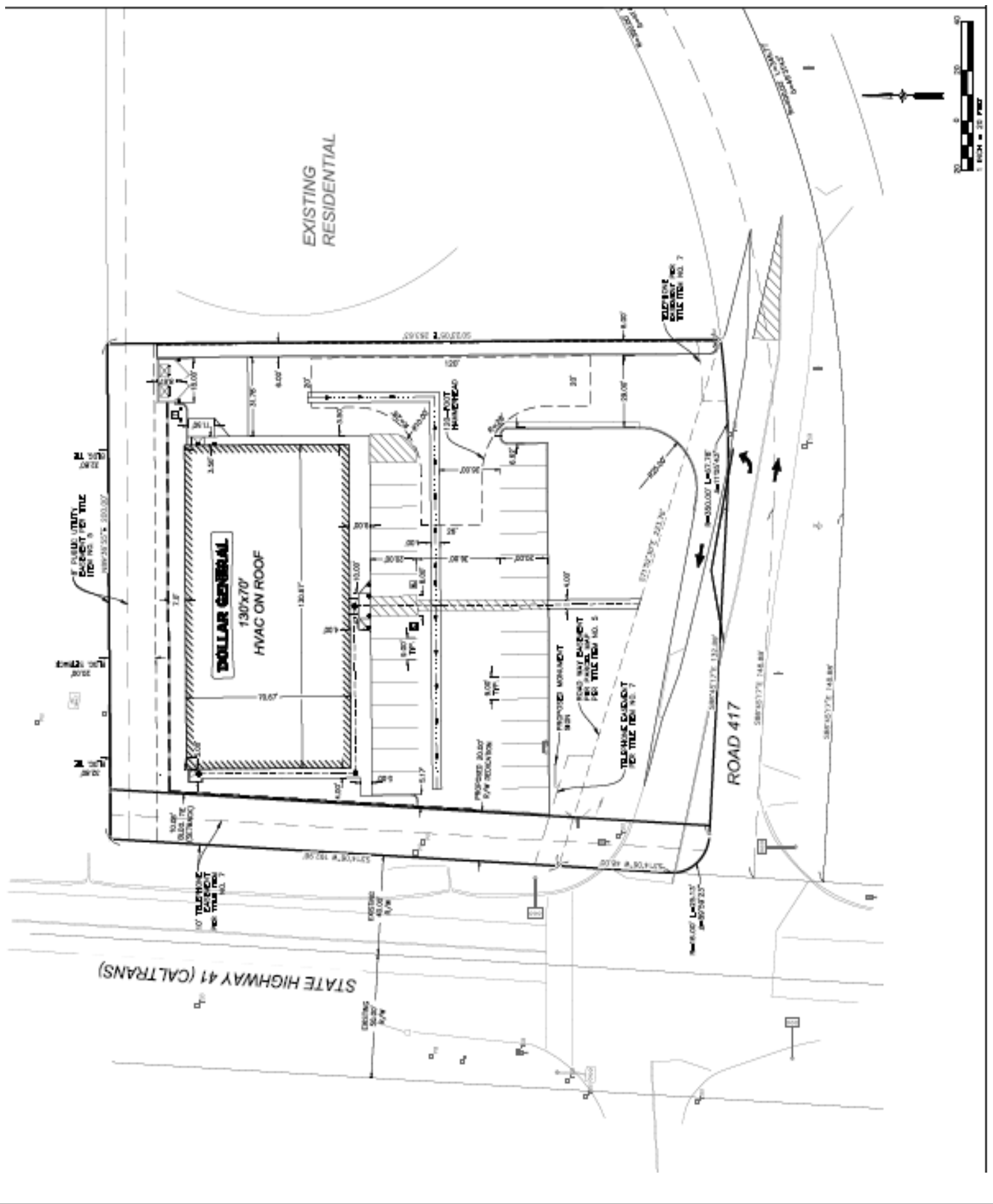


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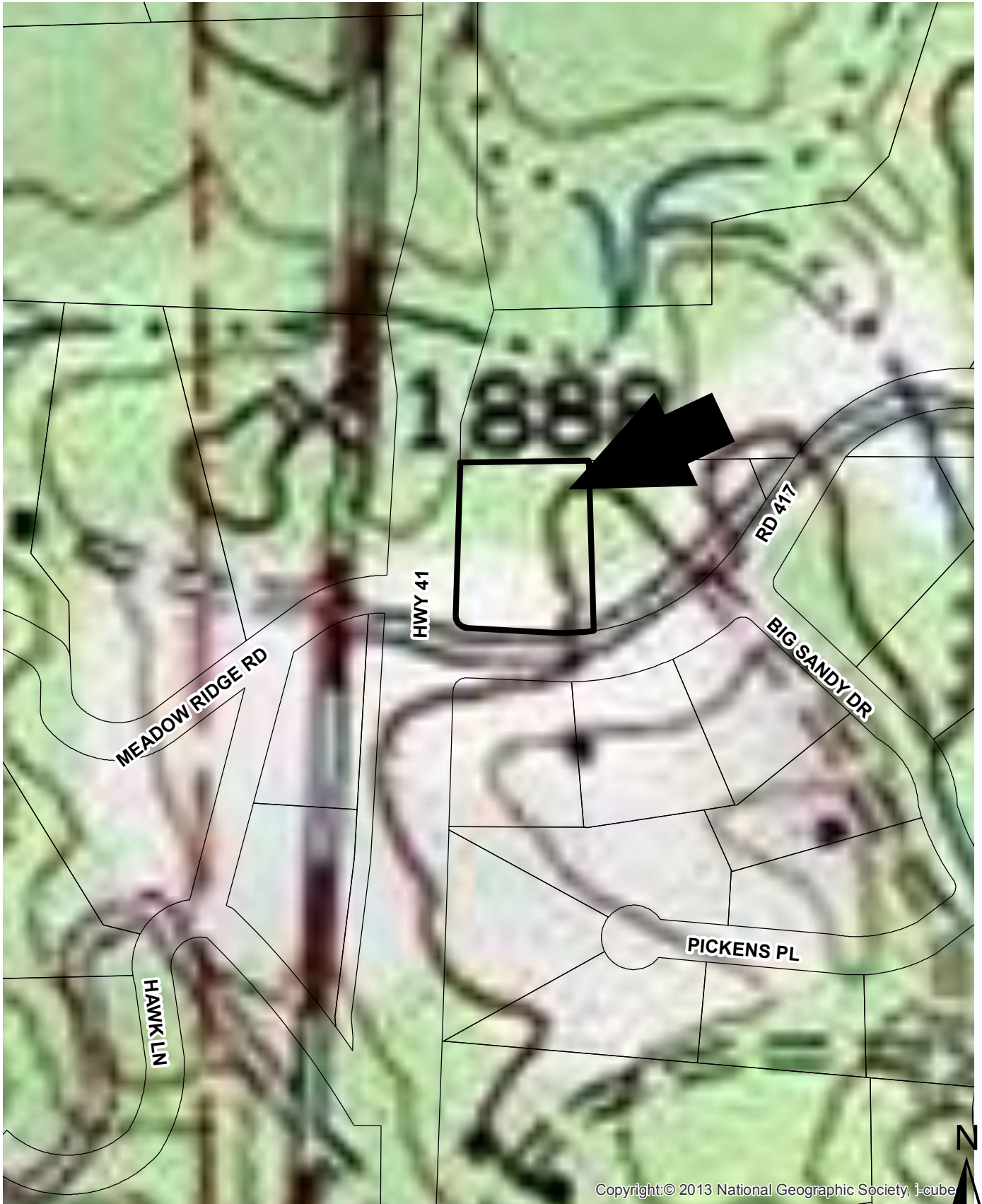


SITE PLAN



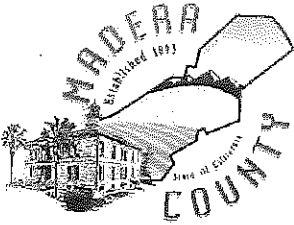
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

AERIAL MAP



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TOPOGRAPHICAL MAP



Community and Economic Development Planning Division

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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: 054-450-001
 Applicant's Name: John Shields w/ Embree Asset Group
 Address: 2355 E. Camelback Rd Ste 315 Phoenix, AZ
 Phone Number: (512) 876-7155 85016

2. Describe the nature of your proposal/operation.

Proposed Dollar General discount retail store
(9,100 SF) w/ associated parking

3. What is the existing use of the property?

Undeveloped

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?

Standard household items will be sold onsite at
this facility. Items are produced off site.

5. What are the proposed operational time limits?

Months (if seasonal): 12
 Days per week: 7
 Hours (from 6am to 9pm): Total Hours per day: 15

6. How many customers or visitors are expected?

Average number per day: 100 ±
 Maximum number per day: 125 ±
 What hours will customers/visitors be there? 6am to 9pm daily

7. How many employees will there be?

Current: 4 employees per shift - two shifts per day
 Future: Same as above
 Hours they work: 8 hours
 Do any live onsite? If so, in what capacity (i.e. caretaker)? No

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

Shopping carts to be stored inside store (at front entrance)

9. Will there be any service and delivery vehicles? yes

Number: Up to four deliveries per day

Type: Three full size trucks per week; ~~std~~ delivery

Frequency: Daily for the balance

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

30 customer/employee asphalt parking.
One delivery concrete parking/unloading.

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

Road 417

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

Approximately 582 per day (total)
(384 New Trips per day)

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

Proposed pylon (freestanding) sign at intersection
and proposed building sign over front entrance

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.

New building construction. Materials to be proposed are stone (water table), metal, pilasters (stone) and metal awning.
Max height is 22'. Metal gable at front to be 28'6". Colors are gray tones and bronze.

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

yes - drought tolerant landscaping proposed
(no grass/turf). Wood fencing (6') proposed adjacent to residential.

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

North - undeveloped; South - Rd 417; residential;
West - State Hwy 41; Commercial; East - residential;

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

No

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).

30,000 gallons (annually) for domestic
540,000 gallons (annually) for irrigation
Water to be supplied via existing water main in Road 417

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

Proposed septic system. Contribution
estimated to be 300 gpd

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?

Unknown

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

Grading is anticipated; no existing trees;
grading for building pad, septic, drainage, parking

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

No

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

None

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

Shown on plot plan

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

No

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

Fire protection is necessary

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

Proposed left turn lane on Road 417;
Impact to be minimal

28. How do you see this development impacting schools, parks, fire and police protection or special districts?

Little to no impact

29. If your proposal is for commercial or industrial development, please complete the following; Proposed

Use(s): Discount store (retail)

Square feet of building area(s): 9,100 SF

Total number of employees: 8

Building Heights: 22' (parapet); 28'6" Metal Gable
at front

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

M E M O

To: Mr. John Shields, Embree Development LLC
From: Ken Anderson, KD Anderson & Associates, Inc.
Date: January 18, 2016
Re: Parking Demand Assessment for Dollar General Store in Coarsegold, CA

Overview

Project Description. Dollar General Stores is a chain of small to medium sized convenience oriented discount stores that are prevalent on the east coast but have only recently appeared in California. As we understand, the Dollar General Stores are typically stand-alone 9,100 sf retail stores located off of state highways and local “Main Streets” in suburban and rural areas.

The Coarsegold Dollar General Store is a 9,100 sf building to be located along SR 41 at the Road 417 intersection, as noted in the attached site plan. Madera County zoning code requires one parking space per 250 sf of retail space, and under County code the project would require 37 parking spaces. Project proponents believe that this parking requirement greatly exceeds the actual parking demand regularly experienced at a Dollar General Store. This memo is intended to provide information that will support a request for a parking variance to reduce the on-site parking supply to 28 spaces.

Parking Demands

Available published data was consulted and new utilization data was collected to provide forecasts for the parking demands associated with Dollar General Stores.

The Institute of Transportation Engineers (ITE) publication *Parking Generation, 4th Edition (2010)* presents the results of parking utilization surveys conducted for various types of land uses. While that source provides guidance for collecting parking demand data and for developing parking demands rates, no specific information has been developed for Dollar General Stores.

To address this issue new parking demand surveys were conducted at three (3) northern California Dollar General Stores in September 2014, and the results of these surveys are attached and summarized in Table 1. As noted, these stores are in rural communities that are similar to the location of the store proposed in Coarsegold.

The survey procedures followed ITE guidelines. As part of the survey the number of on-site spaces was identified. Each site was visited on a Thursday and Saturday and the number of occupied spaces was then identified by observation on 15 minute intervals for those hours when each store was open. As noted in Table 1, the maximum number of occupied parking spaces ranged from 9 to 11 on a weekday and from 9

KD Anderson & Associates, Inc.

to 13 on Saturday. The average maximum parking accumulation for the three stores was determined to be a maximum of 10 occupied spaces on a weekday and 11.33 occupied spaces on a Saturday.

TABLE 1 PARKING DEMAND SURVEY RESULTS						
Parameter	Gridley, CA 1480 Highway 99		Los Molinos, CA 7921 Highway 99e		Orland, CA 851 Newville Road	
	Thursday 10/2/2014	Saturday 10/4/2014	Thursday 10/2/2014	Saturday 10/4/2014	Thursday 10/2/2014	Saturday 10/4/2014
Building ksf	9.1		9.1		9.1	
Total On-Site Parking Spaces	30		32		29	
Time of Greatest Parking Demand	1:00 p.m.	1:45 p.m.	3:30 p.m.	11:00 a.m.	10:45 a.m.	2:45 p.m.
Maximum Number of Occupied Spaces	9	9	10	12	11	13
Average Maximum Occupied Parking Spaces					10.00	11.33
Average Maximum Occupied Spaces per ksf					1.10	1.25

Conclusion

Because the Coarsegold Dollar General Store will be the same size as the three sample facilities, it is reasonable to expect that their parking demands will be similar. Thus we would expect maximum parking accumulation to normally be 10 spaces on a weekday and 12 spaces on a Saturday.

It is important to note that parking lots are typically considered to be “fully utilized” at occupancy rates below 100%. Parking spaces turn over unevenly, and poor parking practices make some spaces unavailable. For these reasons parking lots are often assumed to be fully utilized at occupancy rates of 85%-90% depending on the size of the lot, with higher rates typically accepted for small lots where all the spaces are readily visible to motorists.

The probable parking demand of 12 spaces is equivalent to 43% occupancy of the proposed on-site parking supply. This rate is well below the thresholds typically identified as “fully utilized” (i.e., 85% to 90%). Based on these criteria we can conclude that the Dollar General Store’s parking demands can readily be accommodated with the proposed 28 space parking lot.

Sincerely,

Ken

Attachments

KDA

14-7633-001 Dollar General Parking Study

1480 Highway 99, Gridley, CA 95948

Inventory: 30 Spaces

Thursday, October 02, 2014

Time	Occupancy	Time	Occupancy
8:00 AM	1	3:00 PM	5
8:15 AM	3	3:15 PM	5
8:30 AM	2	3:30 PM	7
8:45 AM	2	3:45 PM	8
9:00 AM	2	4:00 PM	9
9:15 AM	2	4:15 PM	6
9:30 AM	3	4:30 PM	5
9:45 AM	3	4:45 PM	7
10:00 AM	4	5:00 PM	8
10:15 AM	4	5:15 PM	7
10:30 AM	3	5:30 PM	7
10:45 AM	2	5:45 PM	6
11:00 AM	2	6:00 PM	6
11:15 AM	3	6:15 PM	4
11:30 AM	4	6:30 PM	6
11:45 AM	5	6:45 PM	4
12:00 PM	8	7:00 PM	4
12:15 PM	7	7:15 PM	3
12:30 PM	6	7:30 PM	3
12:45 PM	5	7:45 PM	5
1:00 PM	9	8:00 PM	5
1:15 PM	9	8:15 PM	5
1:30 PM	4	8:30 PM	5
1:45 PM	6	8:45 PM	4
2:00 PM	7	9:00 PM	3
2:15 PM	4	9:15 PM	3
2:30 PM	5	9:30 PM	2
2:45 PM	4	9:45 PM	1
		10:00 PM	0

Saturday, October 04, 2014

Time	Occupancy	Time	Occupancy
8:00 AM	1	3:00 PM	6
8:15 AM	3	3:15 PM	3
8:30 AM	3	3:30 PM	5
8:45 AM	3	3:45 PM	7
9:00 AM	3	4:00 PM	7
9:15 AM	3	4:15 PM	6
9:30 AM	3	4:30 PM	9
9:45 AM	3	4:45 PM	9
10:00 AM	2	5:00 PM	8
10:15 AM	3	5:15 PM	7
10:30 AM	2	5:30 PM	6
10:45 AM	3	5:45 PM	5
11:00 AM	8	6:00 PM	6
11:15 AM	4	6:15 PM	8
11:30 AM	2	6:30 PM	3
11:45 AM	3	6:45 PM	4
12:00 PM	4	7:00 PM	4
12:15 PM	3	7:15 PM	5
12:30 PM	3	7:30 PM	5
12:45 PM	5	7:45 PM	4
1:00 PM	5	8:00 PM	5
1:15 PM	5	8:15 PM	5
1:30 PM	4	8:30 PM	4
1:45 PM	9	8:45 PM	4
2:00 PM	8	9:00 PM	3
2:15 PM	5	9:15 PM	3
2:30 PM	5	9:30 PM	1
2:45 PM	6	9:45 PM	1
		10:00 PM	1

14-7633-002 Dollar General Parking Study

851 Newville Road, Orland, CA 95963

Inventory: 29 Spaces

Thursday, October 02, 2014

Time	Occupancy	Time	Occupancy
8:00 AM	2	3:00 PM	3
8:15 AM	1	3:15 PM	3
8:30 AM	4	3:30 PM	6
8:45 AM	4	3:45 PM	2
9:00 AM	3	4:00 PM	4
9:15 AM	4	4:15 PM	7
9:30 AM	6	4:30 PM	5
9:45 AM	5	4:45 PM	6
10:00 AM	7	5:00 PM	6
10:15 AM	8	5:15 PM	3
10:30 AM	7	5:30 PM	5
10:45 AM	11	5:45 PM	8
11:00 AM	8	6:00 PM	7
11:15 AM	11	6:15 PM	8
11:30 AM	4	6:30 PM	5
11:45 AM	4	6:45 PM	6
12:00 PM	7	7:00 PM	6
12:15 PM	4	7:15 PM	5
12:30 PM	6	7:30 PM	4
12:45 PM	5	7:45 PM	1
1:00 PM	5	8:00 PM	4
1:15 PM	6	8:15 PM	6
1:30 PM	7	8:30 PM	4
1:45 PM	5	8:45 PM	2
2:00 PM	4	9:00 PM	2
2:15 PM	5	9:15 PM	5
2:30 PM	7	9:30 PM	2
2:45 PM	4	9:45 PM	1
		10:00 PM	1

Saturday, October 04, 2014

Time	Occupancy	Time	Occupancy
8:00 AM	3	3:00 PM	3
8:15 AM	4	3:15 PM	4
8:30 AM	3	3:30 PM	4
8:45 AM	2	3:45 PM	5
9:00 AM	6	4:00 PM	9
9:15 AM	5	4:15 PM	7
9:30 AM	4	4:30 PM	4
9:45 AM	5	4:45 PM	8
10:00 AM	3	5:00 PM	9
10:15 AM	4	5:15 PM	5
10:30 AM	7	5:30 PM	6
10:45 AM	6	5:45 PM	2
11:00 AM	6	6:00 PM	4
11:15 AM	8	6:15 PM	3
11:30 AM	6	6:30 PM	5
11:45 AM	8	6:45 PM	7
12:00 PM	10	7:00 PM	7
12:15 PM	7	7:15 PM	10
12:30 PM	9	7:30 PM	3
12:45 PM	6	7:45 PM	3
1:00 PM	8	8:00 PM	1
1:15 PM	8	8:15 PM	4
1:30 PM	6	8:30 PM	7
1:45 PM	10	8:45 PM	5
2:00 PM	9	9:00 PM	5
2:15 PM	10	9:15 PM	4
2:30 PM	6	9:30 PM	2
2:45 PM	13	9:45 PM	2
		10:00 PM	1

14-7633-003 Dollar General Parking Study

7921 Highway 99e, Los Molinos, CA 96055

Inventory: 32 Spaces

Thursday, October 02, 2014

Time	Occupancy	Time	Occupancy
8:00 AM	1	3:00 PM	7
8:15 AM	1	3:15 PM	9
8:30 AM	3	3:30 PM	10
8:45 AM	4	3:45 PM	5
9:00 AM	4	4:00 PM	7
9:15 AM	3	4:15 PM	8
9:30 AM	2	4:30 PM	5
9:45 AM	3	4:45 PM	3
10:00 AM	2	5:00 PM	9
10:15 AM	6	5:15 PM	6
10:30 AM	6	5:30 PM	9
10:45 AM	5	5:45 PM	5
11:00 AM	4	6:00 PM	7
11:15 AM	6	6:15 PM	8
11:30 AM	7	6:30 PM	9
11:45 AM	6	6:45 PM	7
12:00 PM	2	7:00 PM	5
12:15 PM	4	7:15 PM	8
12:30 PM	7	7:30 PM	7
12:45 PM	6	7:45 PM	6
1:00 PM	4	8:00 PM	7
1:15 PM	8	8:15 PM	7
1:30 PM	5	8:30 PM	5
1:45 PM	7	8:45 PM	6
2:00 PM	6	9:00 PM	8
2:15 PM	5	9:15 PM	4
2:30 PM	6	9:30 PM	4
2:45 PM	5	9:45 PM	2
		10:00 PM	2

Saturday, October 04, 2014

Time	Occupancy	Time	Occupancy
8:00 AM	1	3:00 PM	11
8:15 AM	1	3:15 PM	8
8:30 AM	4	3:30 PM	6
8:45 AM	2	3:45 PM	6
9:00 AM	3	4:00 PM	3
9:15 AM	3	4:15 PM	6
9:30 AM	5	4:30 PM	7
9:45 AM	3	4:45 PM	8
10:00 AM	5	5:00 PM	6
10:15 AM	4	5:15 PM	5
10:30 AM	6	5:30 PM	7
10:45 AM	9	5:45 PM	9
11:00 AM	12	6:00 PM	5
11:15 AM	5	6:15 PM	5
11:30 AM	3	6:30 PM	7
11:45 AM	3	6:45 PM	3
12:00 PM	5	7:00 PM	6
12:15 PM	7	7:15 PM	4
12:30 PM	7	7:30 PM	6
12:45 PM	8	7:45 PM	5
1:00 PM	5	8:00 PM	5
1:15 PM	6	8:15 PM	3
1:30 PM	5	8:30 PM	5
1:45 PM	4	8:45 PM	2
2:00 PM	4	9:00 PM	8
2:15 PM	6	9:15 PM	6
2:30 PM	7	9:30 PM	5
2:45 PM	9	9:45 PM	2
		10:00 PM	1

PRELIMINARY SITE PLAN

**COARSEGOLD, CA.
ROAD 417 & HIGHWAY 41**

**DATE:
01-18-2016**

BUILDING SETBACKS:

**FRONT: 0'
SIDE: 10' (HIGHWAY)
REAR: 20' (WASH)**

**JURISDICTION:
MADERA COUNTY**

LEGAL DESCRIPTION

**LOT 1
TRACT NO. 160
COARSEGOLD HIGHLANDS
VOL. 14, PAGES 46-47**

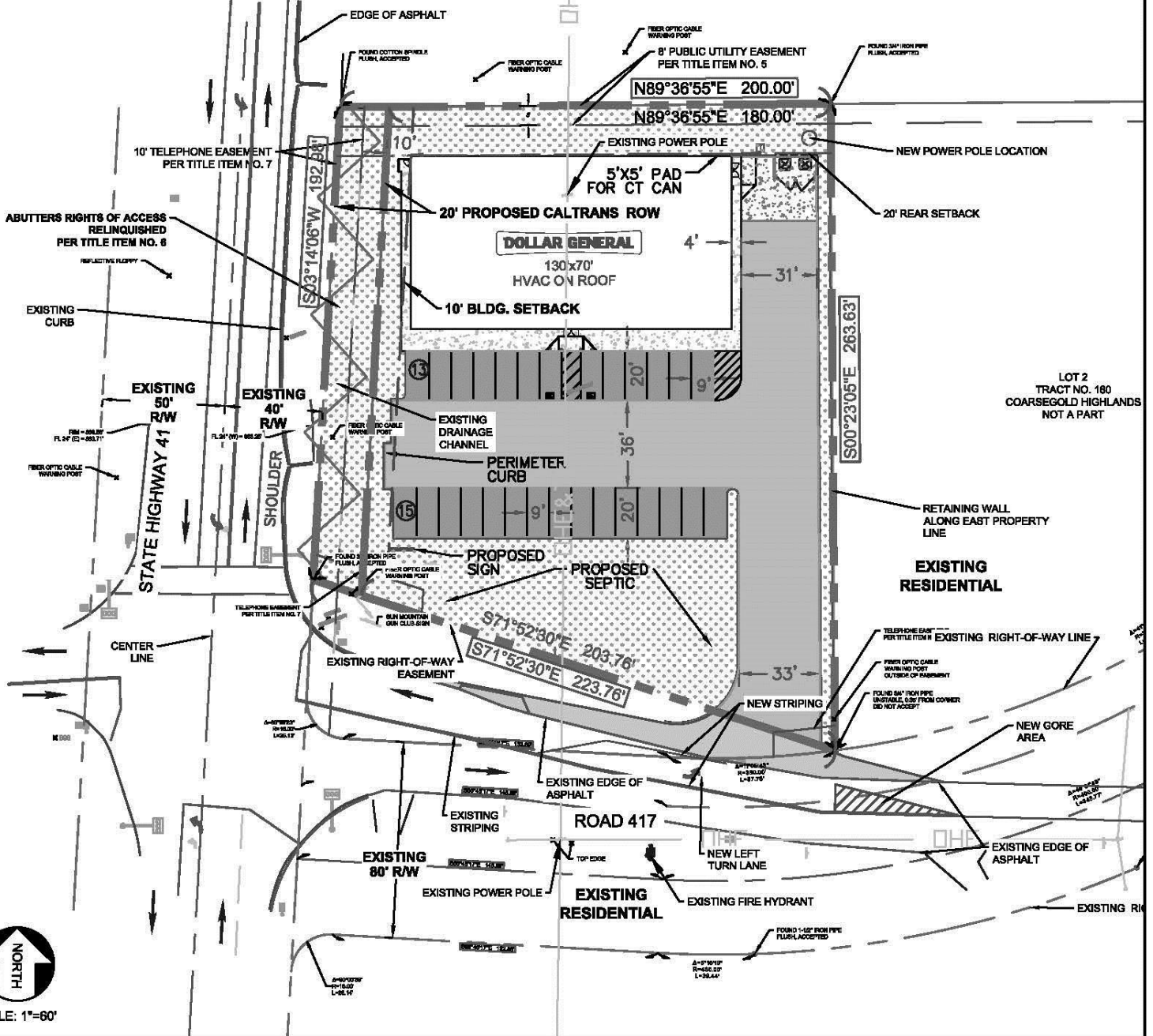
**REQUIRED PARKING:
1 SPACE PER EVERY 250 SQ.
FT. OF GROSS FLOOR AREA=
9,100/250 = 37.**

**APN: 054-450-001
GROSS: 1.25 ACRES
NET: 1.08 ACRES (DOES NOT INCLUDE 20'
R/W DEDICATION)
NOTE: ACREAGE DOES NOT INCLUDE ROW
EASEMENT**

**PROVIDED PARKING:
28 SPACES.**

UNDEVELOPED

DHE&T



SCALE: 1"=60'



Community and Economic Development

Fire Protection Division

DEBORAH KEENAN
MADERA COUNTY FIRE MARSHAL

200 W. 4th Street
MADERA, CALIFORNIA 93637
(559) 661-6333
(559) 675-6973 FAX

MEMORANDUM

TO: Joey Dinh
FROM: Deborah Keenan, Fire Marshal
DATE: February 18, 2016
RE: Embree Asset Group - Conditional Use Permit - Coarsegold (054-450-001-000)

Conditions

Fire flow capable of meeting minimum California Fire Code standards of 1,500 gpm at 20psi for 2 hours is required from a county standard fire hydrant within 400 feet of all portions of the building as measured by drivable access. If fire flow cannot be obtained a water tank may be required to be placed on the project site. Provide documentation from Hillview Water Company that flows exist.



Community and Economic Development
Environmental Health Division

Dexter Marr, Deputy Director

200 West 4th Street
Madera, CA 93637
(559) 675-7823

MEMORANDUM

TO: Joey Dinh
FROM: Dexter Marr, Environmental Health Division
DATE: February 19, 2016
RE: Embree Asset Group - Conditional Use Permit - Coarsegold (054-450-001-000)

Comments

TO: Planning Department
FROM: Environmental Health Department
DATE: January 8, 2016
RE: Conditional Use Permit (CUP) #2015-013, Embree Asset Group, Coarsegold APN 054450001

The Environmental Health Department Comments:

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, Public Works or Regional Water Quality Control Board. Indicate on the plot plan the location of existing and proposed private sewage disposal system(s) and it must comply with all construction requirements as it pertains to the 2013 California Plumbing Code Appendix H and Madera County Code 14.20.

Applicant must identify Water Supply Source. If the parcel is served by a private well indicate all well(s) located on the property and its intended use. The water well(s) to be used on site for this project, shall be approved and permitted by this department and may be subject to regulations as a "Public Water System". "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. The Water System must comply with the State Drinking Water Program (DWP) Standards.

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 the facility handles/stores hazardous materials at quantities at or above (55 gallons, 500 lbs or 200 cu.ft compressed gas) or generates hazardous waste your facility will be regulated by this department under (Article I, Chapter 6.95, of the California Health & Safety Code Section 25503.5).

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. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this department prior to commencement of any work activities.

If there are any questions or comments regarding these conditions/requirements or for copies of any Environmental Health Permit Application forms please, feel free to contact our department at (559) 675-7823.



COUNTY OF MADERA DEPARTMENT OF PUBLIC WORKS

AHMAD M. ALKHAYYAT
INTERIM DIRECTOR

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

MEMORANDUM

DATE: February 19, 2016
TO: Joey Dinh
FROM: Phu Duong, Public Works
SUBJECT: Embree Asset Group - Conditional Use Permit - Coarsegold (054-450-001-000)

Comments

The Public Works department has reviewed the CUP#2015-013, APN 054-450-001 located at the northeast corner of State Route 41 and Road 417 intersection. The Department has the following conditions and/or requirements prior to the approval of the proposed development:

On frontage roads and in areas where the maximum legal vehicle must be accommodated, standard truck templates should be used to determine if adequate turning radii have been achieved at the proposed access approach.

All driveway approaches accessing the site shall be built to a commercial approach standard(s) 20' minimum as described in the permit per the County Standard ST-27. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction.

The developer is to provide smooth pavement taper and transition width east of the developing site from existing pavement to the limit of construction of the proposed development.

The developer is to retrofit the existing pavement markings and striping to accommodate the proposed development.

The parcel shall provide and maintain its own drainage system and all on-site runoff shall be contained on site. The developer shall provide flood control or drainage systems within his development to carry storm runoff both tributary to and originating within the development in accordance with the flood control practices established by the county. Post development drainage flow shall be limited to the predevelopment rate.

The applicant shall submit a grading, drainage plan, if applicable, drainage or onsite storage calculations to the Public Works Department for review and approval. This plan shall identify onsite retention for any increase in storm water runoff generated by the proposed development. The grading, drainage plan, and calculations shall be prepared by a licensed professional.

All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPS to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and

regulations associated with the NPDES and the Clean Water Act.

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.

DEPARTMENT OF TRANSPORTATION

DISTRICT 6

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 445-5868

FAX (559) 445-5875

TTY 711

www.dot.ca.gov



*Serious drought.
Help save water!*

January 28, 2016

06-MAD-41-25.065

Dollar General

CUP 2015-013

Mr. Joey Dinh
Planning Department
County of Madera
200 W. 4th Street
Madera, CA 93637

Dear Mr. Dinh:

We have completed our review of the site plan for a proposed 9,100 square-foot Dollar General store that would be located at the northeast corner of State Route (SR) 41 and Road 417. This site is situated approximately 3.0 miles south of the community of Coarsegold. Caltrans has the following comments:

The current right-of-way extends 60 feet from centerline in each direction. The ultimate right-of-way was agreed upon between the State and Madera County on February 13, 1990 (see enclosure) as having a typical cross-section of 146 feet for this section of SR 41. Therefore, an irrevocable offer of dedication of 13 feet from the developer is required. Dedications required by the Lead Agency need to be shown on a revised site plan and forwarded for our review. A summary of the requirements for right-of-way dedications is enclosed.

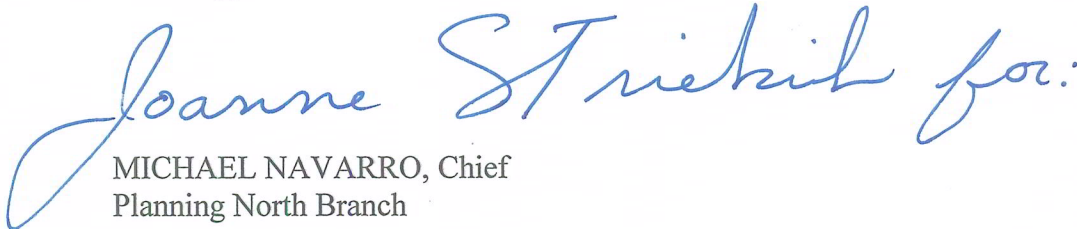
Driveway access to SR 41 will be allowed for the proposed development. The site plan does show the only driveway access is via Road 417 at the eastern property line. The configuration of Road 417 and the proponent's driveway on the site plan sheet are incomplete; therefore, it is not possible to comment on the designer's intent. Please resubmit the site plan to scale for our review and comment.

The SR 41/Road 417 intersection is signalized but a left-turn channelization is needed on Road 417 on both the westbound and eastbound legs. This development is anticipated to add westbound left-turns that would exacerbate the operational concern. It is recommended that the development dedicate right-of-way and construct a right-turn lane with standard shoulder to lessen the operational concern at this intersection. This would also provide for some of the right-of-way and pavement needed for future left-turn lane improvements. The eastern leg of this intersection shall remain in alignment with the western leg and the future angle of the intersection should not further deviate from the preferred 90-degree angle.

Mr. Joey Dinh
January 28, 2016
Page 2

If you have any further questions, please contact David Padilla, Associate Transportation Planner, Transportation Planning at (559) 444-2493.

Sincerely,

A handwritten signature in blue ink that reads "Joanne Strickland for:". The signature is written in a cursive style with a large initial "J".

MICHAEL NAVARRO, Chief
Planning North Branch

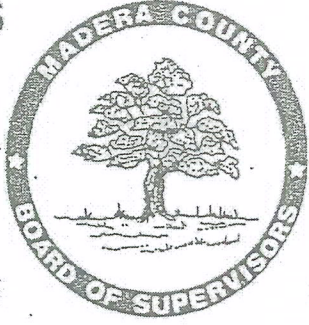
Enclosure (s)

Adopted CC: Jay Davel & Marc Birnbaum
Shinaver

BOARD OF SUPERVISORS

MADERA COUNTY

RICK JENSEN, District 1
ALFRED GINSBURG, District 2
GAIL HANHART McINTYRE, District 3
JESS LOPEZ, District 4
HARRY H. BAKER, JR., District 5



WANDA BRADLEY, Clerk of the Board
MADERA COUNTY GOVERNMENT CENTER
209 WEST YOSEMITE AVENUE
MADERA, CALIFORNIA 93637
(209) 675-7700
FAX (209) 673-3302

File No: 90022
Tape No: 1-766
Date: February 13, 1990

~~ATTN: DAM~~

RECEIVED
FEB 20 AM 8:37
DIST. OF TRANSP. DIST. 6

In the Matter of CONSIDERATION OF ADOPTING RIGHT-OF-WAY AND
TYPICAL CROSS SECTIONS FOR HIGHWAY 41 AND 49.

Upon motion of Supervisor Lopez, seconded by
Supervisor Hanhart McIntyre, it is ordered that the attached be,
and it is hereby adopted as shown.

I hereby certify that the above order was adopted by the
following vote, to wit:

- AYES: Supervisors Jensen, Ginsburg, Hanhart McIntyre, Lopez,
and Baker.
- NOES: None.
- ABSTAIN: None.
- ABSENT: None.

Distribution:
CAO
County Counsel
Planning
Road
CallTrans

ATTEST: WANDA BRADLEY, CLERK
BOARD OF SUPERVISORS

By *Perry Canterbury*
Deputy Clerk

MADERA COUNTY

ROAD DEPARTMENT

WILLIAM H. KING, JR.
Road Commissioner

• 201 WEST ALMOND AVENUE
• MADERA, CALIFORNIA 93637
• (209) 675-7811

February 1, 1990

TO: The Honorable Board of Supervisors
FROM: William H. King, Jr., Road Commissioner
RE: Highway 41 and Highway 49

Recommendation:

Adopt the recommendations of the California Department of Transportation in regards to the proposed right-of-way and typical cross-sections for Highway 41 and Highway 49.

Summary:

The County has been working with Caltrans for a considerable period of time in an attempt to set a standard for Highway 41 and Highway 49 so that parcel maps, developments, and building permits can be processed in a reasonable manner that will allow maximum use of the properties but still acquire or protect the right-of-way for the ultimate construction that will be needed in the coming years as the area becomes more urban.

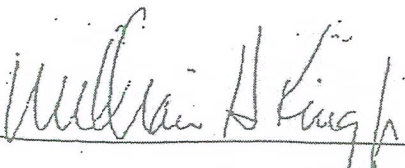
Discussion:

This item was first submitted to your Board on February 7, 1989. At that time, you decided to refer the matter to the Highway 41 Committee for review and report (Exhibit A). The Committee replied that they approved the proposal (Exhibit B), and on February 28, 1989, your Board accepted the report (Exhibit C). On August 15, 1989, your Board approved and accepted the Highway 41 Corridor Study and adopted the recommendations included (Exhibit D).

One of those recommendations was for the County and State to adopt a plan which indicates the ultimate right-of-way of all planned streets and highways within the Corridor.

Financing:

None.

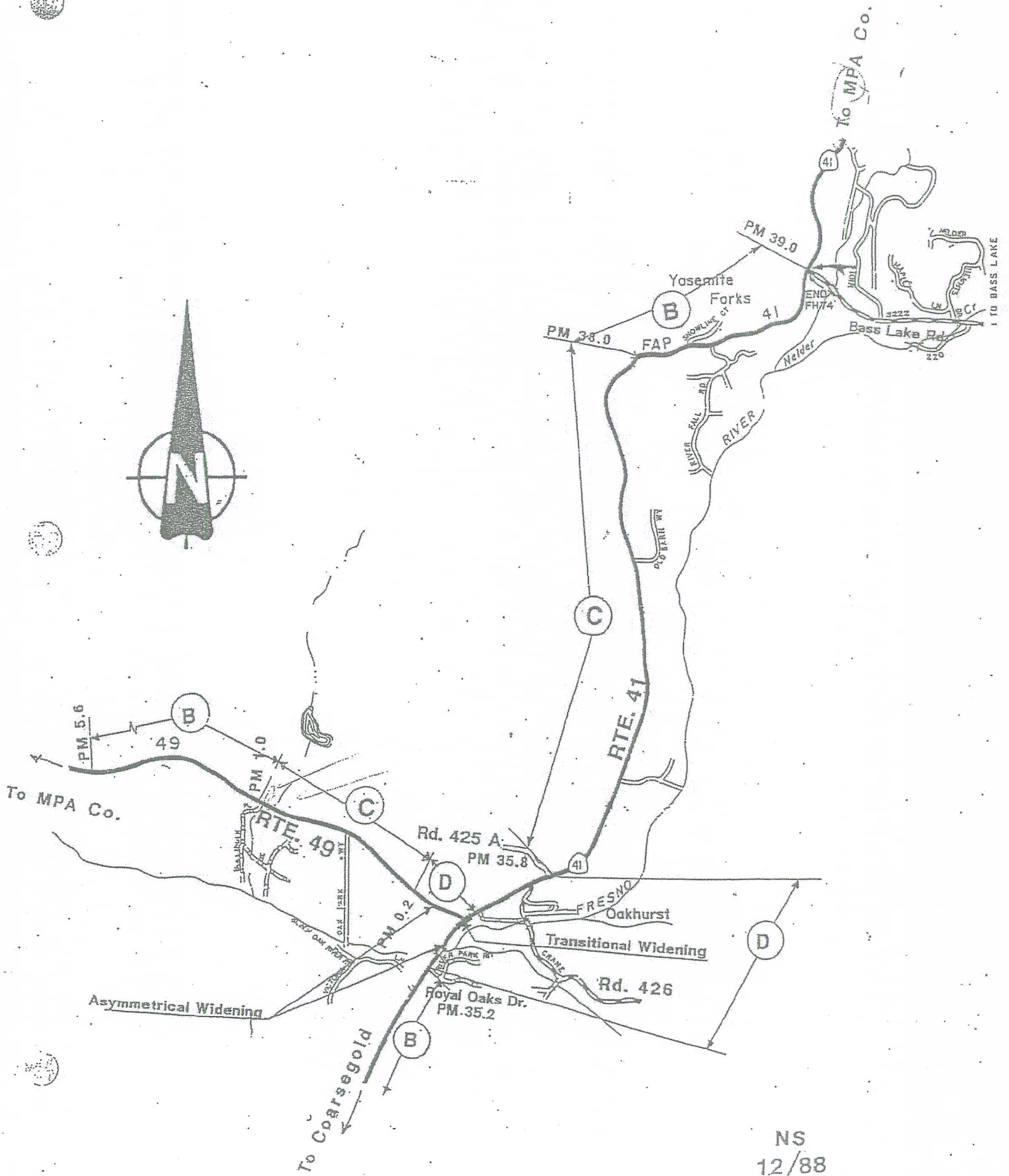


Attachment C - Description and General Applicable Conditions
for Ultimate Typical Cross Sections for
Highways 41 and 49 in Madera County

<u>Typical Section Name</u>	<u>Description</u>	<u>Applicable Conditions</u>
A	194 ft r/w (min); 4 lane fwy/expwy; 70 ft median (min)	Rural, undeveloped, <u>non-urbanized areas</u>
B	146 ft r/w (min); 4 lane highway; 22 ft median (can be 128 ft r/w w/ 4 ft median in mountainous terrain)	Rural, undeveloped, <u>non-urbanized areas</u>
C	110 ft r/w; 4 lane highway; 22 ft median	<u>Urbanizing</u> or developing areas. No significant r/w restrictions due to buildings or structures.
D	100 ft r/w; 4 lane highway; 14-16 ft median	<u>Urbanized</u> or developed areas Significant r/w restrictions due to buildings or structures.
E	100 ft r/w (min); 2 lane highway	Rural, <u>non-urbanized</u> areas, in rolling or mountainous terrain.

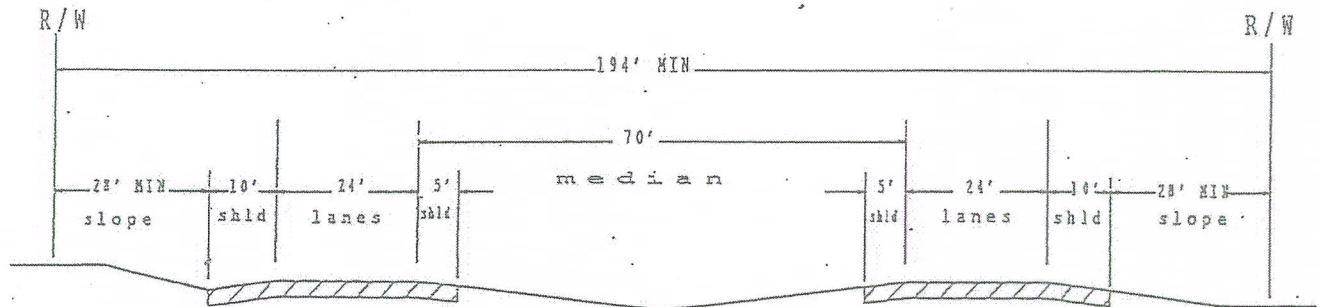
ATTACHMENT D -

Map of Ultimate Typical Cross Sections
for Highways 41 and 49 in Oakhurst

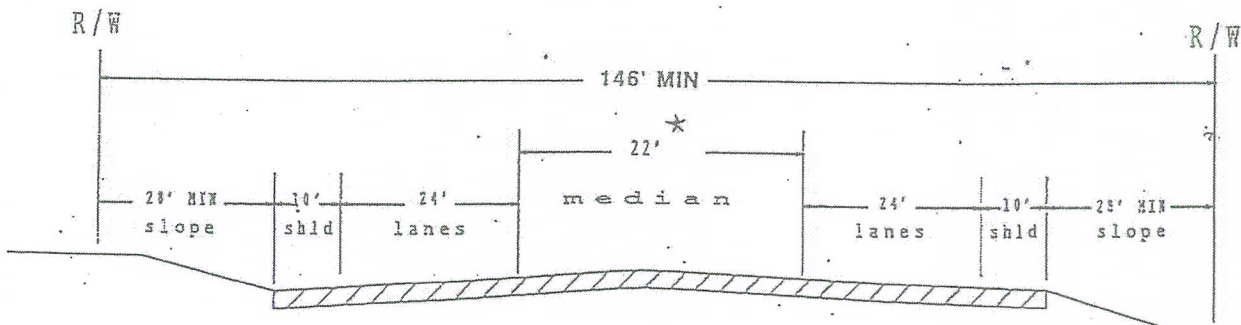


Attachment A - Ultimate Typical Cross Sections
Highways 41 and 49 in Madera County

A - 4 Lane freeway/expressway



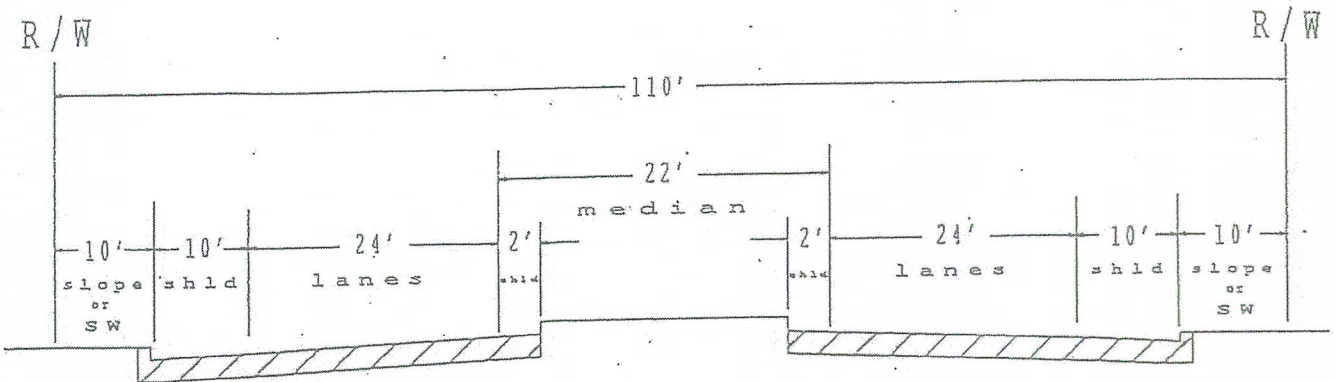
B - 4 lane conventional highway



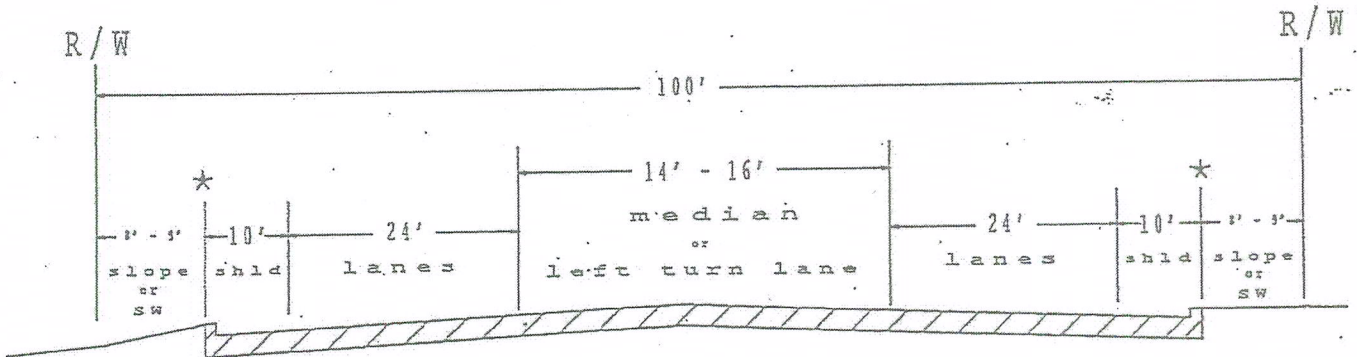
* median can be 4' in mountainous terrain within 128' R/W

Attachment A (Continued)

C - 4 lane urbanizing conventional highway



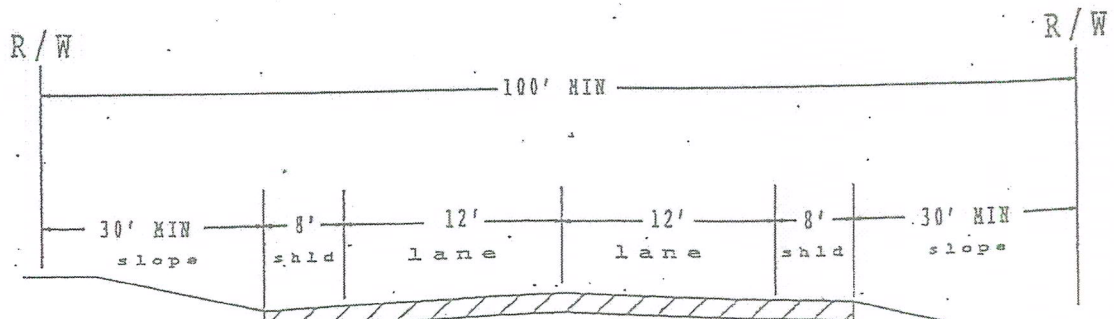
D - 4 lane urbanized conventional highway



- * Curb and Gutter in Oakhurst
- * Possible Curb and Gutter in Coarsegold

Revised: 1-30-90

E - 2 lane conventional highway



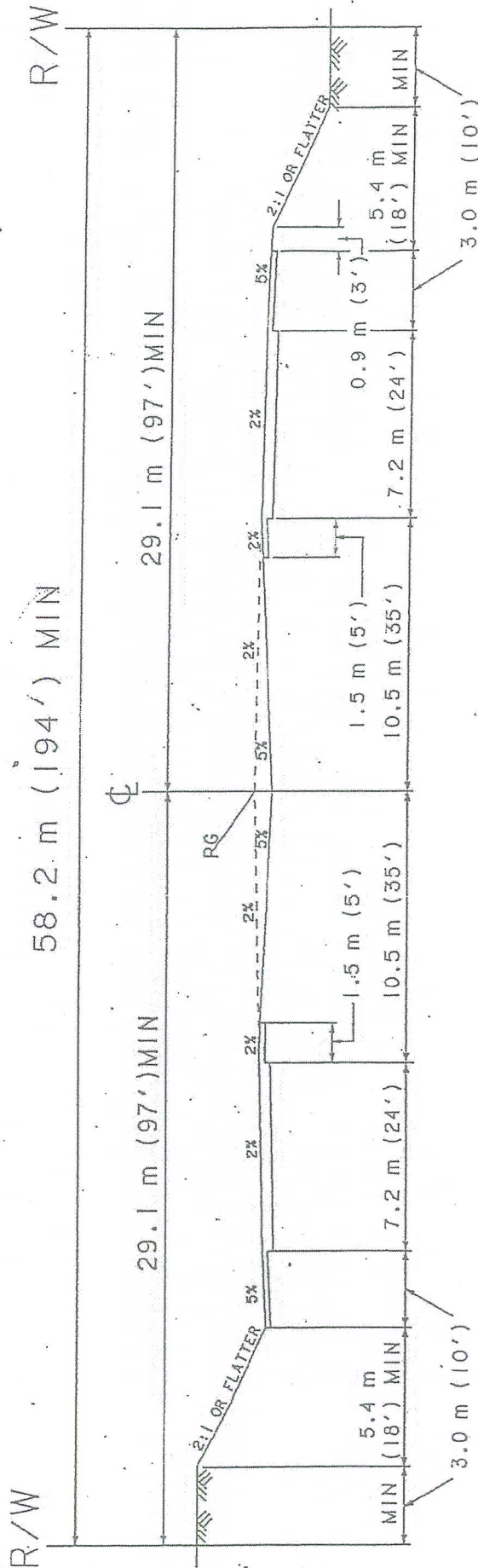
Attachment B - Geographical Limits of Ultimate Typical
Cross Sections for Highways 41 and 49 in
Madera County.

HIGHWAY 41

<u>FROM</u>	<u>TO</u>	<u>SECTION</u>				
		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
PM 0.0 S.J. River	PM 11.5 Ave. 208	X				
PM 11.5 Ave. 208	PM 27.9 S. Coarsegold		X			
PM 27.9 S. Coarsegold	PM 29.5 N. Coarsegold				X	
PM 29.5 N. Coarsegold	PM 35.05 Victoria Ln.		X			
PM 35.05 Victoria Ln.	PM 35.85 Rd. 425A				X	
PM 35.85 Rd. 425A	PM 38.99 Rd. 222			X		
PM 38.99 Rd. 222	PM 45.7 Mariposa Co.					X

HIGHWAY 49

PM 0.0 Rte 41/49	PM 0.5 West of 41				X	
PM 0.5 West of 41	PM 1.0 Bollinger Dr.			X		
PM 1.0 Bollinger Dr.	PM 5.6 Rd. 628.		X			
PM 5.6 Rd. 628	PM 9.3 Mariposa Co.					X



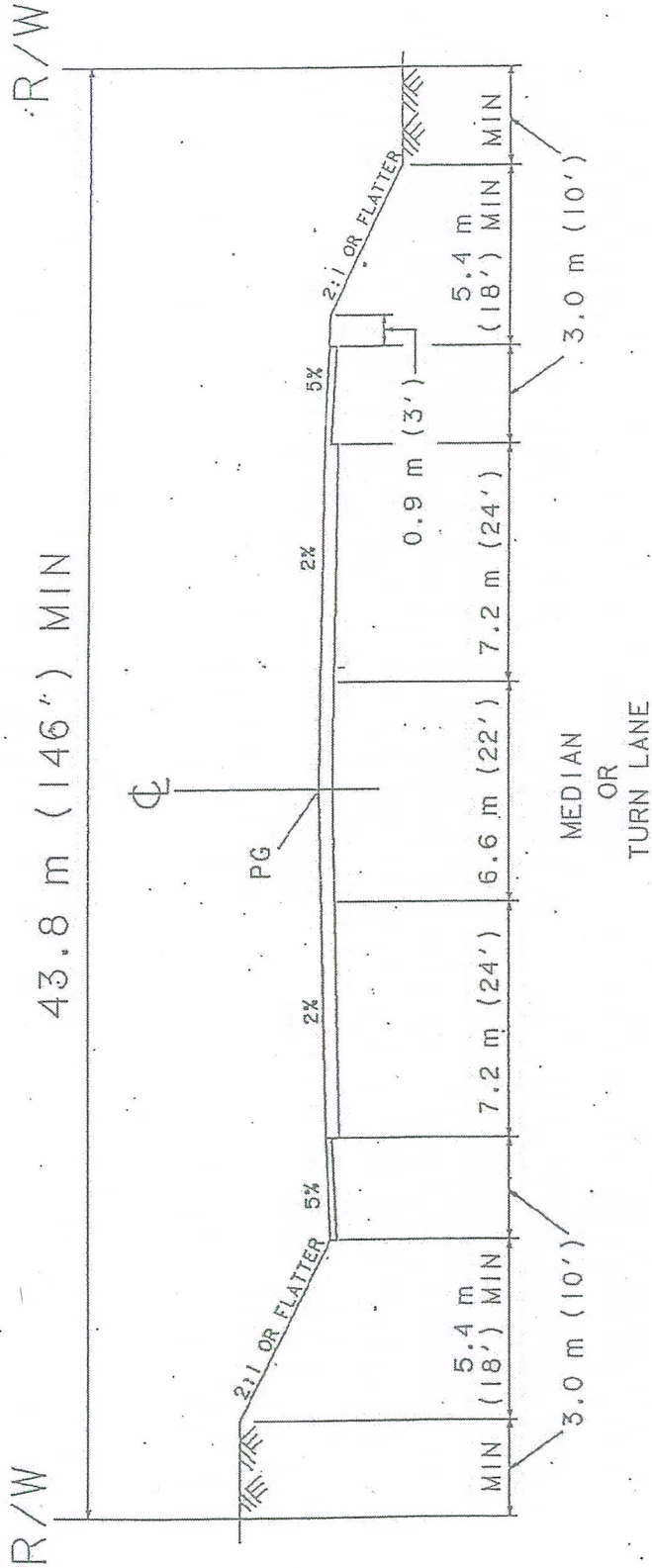
TYPICAL A - 4 LANE FREEWAY / EXPRESSWAY

HIGHWAYS 41 IN MADERA COUNTY

ULTIMATE TYPICAL CROSS SECTIONS

SYSTEMS PLANNING
CALTRANS-DIST-6
M41T2

NOTE: Subset of A, San Joaquin River to Ave 12 has 25.2 m (84') median and 62.4 m (208') Right of Way

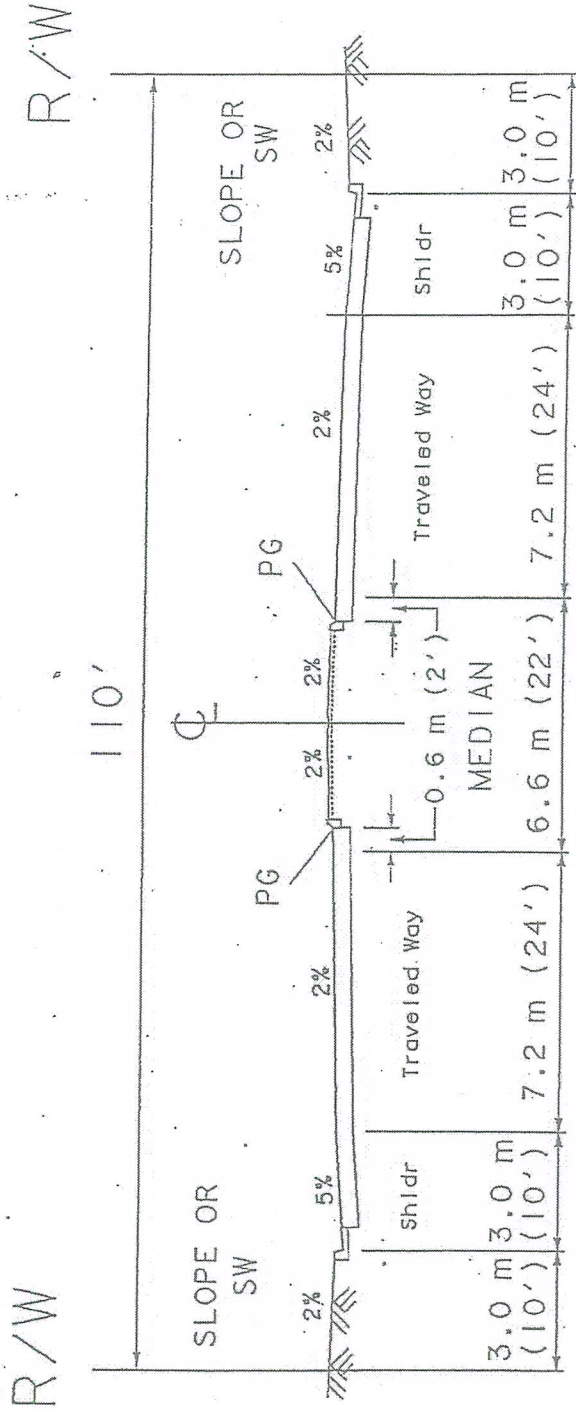


TYPICAL B - 4 LANE RURAL HIGHWAY

NOTE

MEDIAN CASE CAN BE 1.2 m (4') IN MOUNTAINOUS TERRAIN WITH A MINIMUM OF 38.4 m (128') R/W

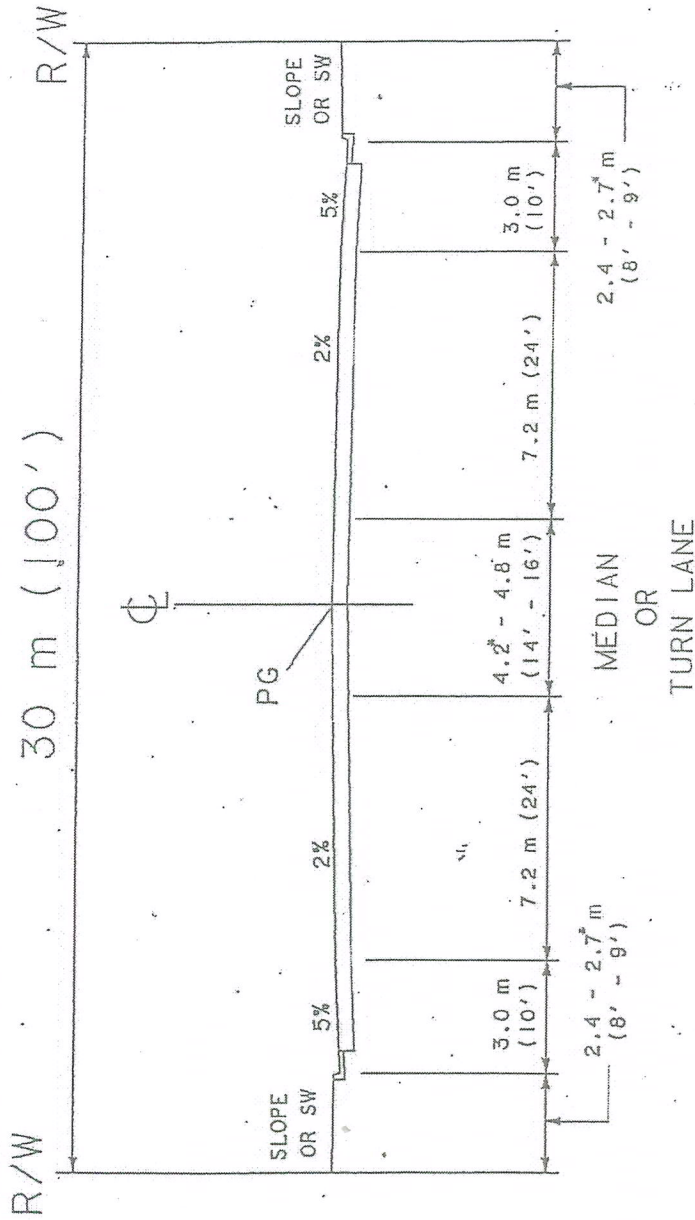
SYSTEMS PLANNING
CALTRANS-DIST 6
M41T3B



TYPICAL C - 4 LANE URBANIZING CONVENTIONAL HIGHWAY
 HIGHWAYS 41 AND 49 IN MADERA COUNTY

ULTIMATE TYPICAL CROSS SECTIONS

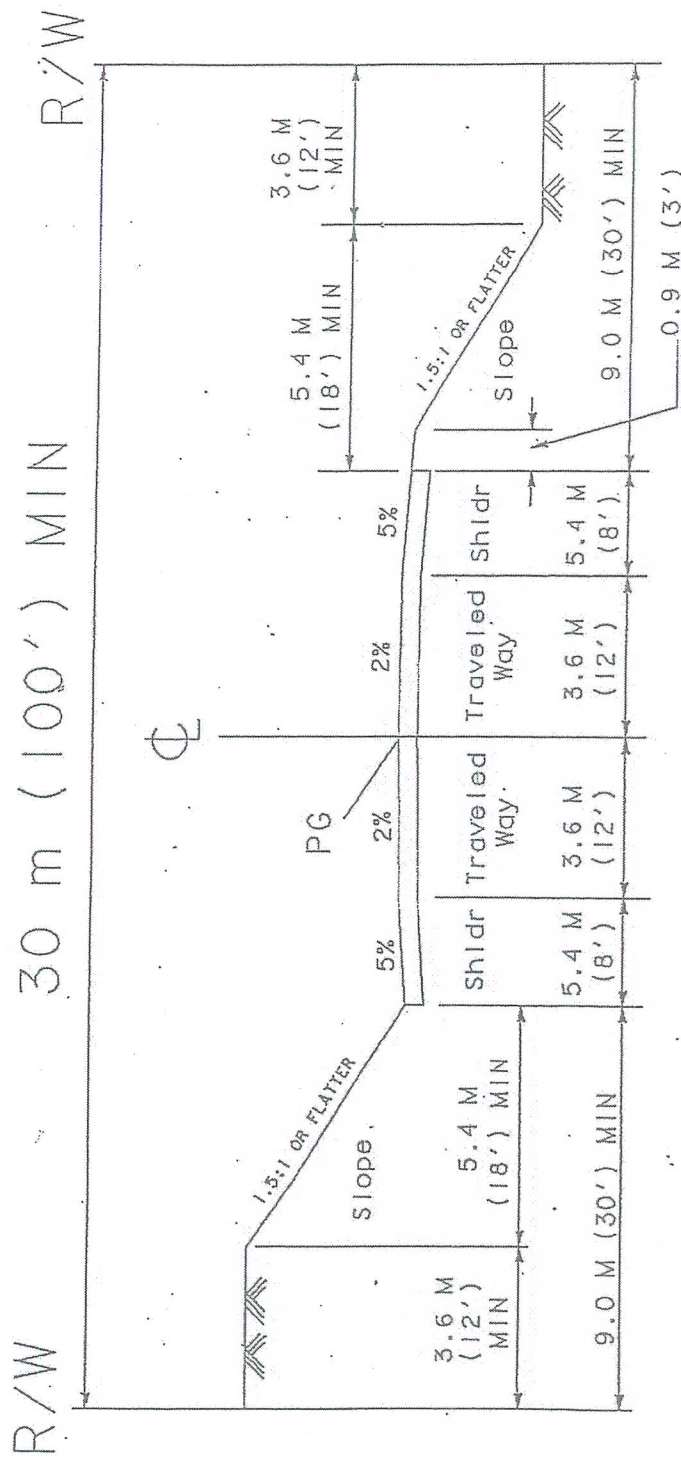
SYSTEMS PLANNING
 CALTRANS-DIST 6
 M41T5B



TYPICAL D - 4 LANE URBANIZED CONVENTIONAL HIGHWAY
HIGHWAYS 41 AND 49 IN MADERA COUNTY

ULTIMATE TYPICAL CROSS SECTIONS

SYSTEMS PLANNING
CALTRANS-DIST 6
M41T7B



TYPICAL E - 2 LANE CONVENTIONAL HIGHWAY
HIGHWAYS 41 AND 49 IN MADERA COUNTY

ULTIMATE TYPICAL CROSS SECTIONS

SYSTEMS PLANNING
CALTRANS-DIST 6
M41 T6B

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
RELINQUISHMENTS, VACATIONS, and DEDICATIONS
855 "M" STREET
SUITE 200
FRESNO, CA. 93721
ATTN: Kuldeep Brar
PHONE (559) 445-6573
FAX (559) 445-6560
E-mail: kuldeep_brar@dot.ca.gov



*Flex your power!
Be energy efficient!*

CALTRANS DISTRICT 6

CENTRAL REGION SOUTHEAST SURVEYS OFFICE

REQUIRED INFORMATION FOR R/W DEDICATIONS

1. A Copy of the vesting deed(s) for the subject property (or a copy of the Title Report, if you have one).
2. Copy of the Assessor's Map.
3. Assessor's Parcel Number (APN) of the property.
4. State whether the property is within city limits or in an unincorporated area.
5. If the property is a lot of a Tract or a parcel of a Parcel Map, provide a copy of the recorded map(s).
6. Provide copies of any record map or deed cited in the documents provided.
7. A Legal description of the dedication parcel signed and sealed by a Licensed Professional Land Surveyor or a Civil Engineer registered prior to 1982 on 8 1/2" X 11" paper. Label EXHIBIT "A" at the top of the legal description (see attached sample legal).
8. A Plat showing pertinent survey data, such as basis of bearings, bearings, distances, and curve data, where applicable, and the area of the dedication parcel on 8 1/2" X 11" or 11" X 17" paper. If the parcel is located in unsubdivided land, show ties to the nearest two section corners and/or quarter-section corners (see attached sample plat).
9. A Copy of the traverse calculations for the dedication parcel to include error of closure and area.

(continued)

10. A Copy of the **CONDITIONS OF APPROVAL** by the local agency (City/County) for the Parcel Map, Tract Map, or development plans describing the location and amount of right-of-way to be dedicated.
11. Any requirements from **CALTRANS PERMITS** or **CALTRANS PLANNING** describing the location and amount of right-of-way to be dedicated.

NOTE:

If any of the above listed items are not submitted, it will either cause a delay or halt in the Dedication process.

If there are any questions, please contact Kuldeep Brar, Caltrans Surveys Department, at 559-445-6573.

Mail packet of information to:

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
855 "M" STREET
SUITE 200
FRESNO, CA. 93721

ATTN: Kuldeep Brar

Rev. 1/25/11

EXHIBIT "A"

Commencing at a railroad spike with a cut cross for the Northeast corner of Sec.24, T.32S., R. 23E., M.D.M., in the County of Kern, State of California as shown on Parcel Map No. 3057 recorded in Parcel Map Book. 13, at Page 162, in the office of the County Recorder of said County, said corner lies 50 feet South of a 4" L.G.B Mac Dowell brass cap marked "Witness Corner 50'N ", said witness corner lies on the East line of Sec. 13, T. 32S., R. 23E., M.D.M. in said County as shown on the Record of Survey Map recorded in Record of Survey Book 8, at Page 155 in said County Recorders office; thence N89°51'06"W, along the North line of said Section 24 and along the centerline of Main Street (County Road No. 1100-A and County Road No. 1120), a distance of 332.91 feet to the Westerly Right-of-Way line of State Highway 33 (VI-Ker-33), as shown on State Highway Map VI-Ker-119, sheet 1, dated Nov. 1956; thence S00°08'54"W, along said West line of State Highway 33, a distance of 30.00 feet to a 5/8" rebar with a plastic cap stamped L.S. 3779 and the TRUE POINT OF BEGINNING;

- 1) Thence S 60°18'56"E along said Westerly line of State Highway 33, a distance of 66.30 feet;
- 2) Thence S 15° 03'30"E continuing along said Westerly line, a distance of 997.53 feet to the East line of said Section 24;
- 3) Thence S 00°54'24"W, along the East line of said Section 24, a distance of 54.54 feet to a 5/8" rebar with a plastic cap stamped L.S. 3779;
- 4) Thence N 15°03'30"W, a distance of 105.04 feet to the beginning of the South end of a 30.00 foot access opening;
- 5) Thence continuing N 15°03'30"W, a distance of 30.00 feet to the North end of said access opening;
- 6) Thence continuing N 15°03'30"W, a distance of 899.16 feet to a 5/8" rebar with a plastic cap stamped L.S. 3779;
- 7) Thence N 60°18'56"W, a distance of 54.41 feet to a 5/8" rebar with a plastic cap stamped L.S. 3779;
- 8) Thence N 00°08'54"E, a distance of 25.00 feet to TRUE POINT OF BEGINNING.

CONTAINING 0.38 ACRES MORE OR LESS.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

SIGNATURE _____
TYPED NAME

DATE _____

S

CALTRANS PARCEL NO. XXXXX



EXHIBIT "A"

E

L

THE SOUTH 55.00 FEET OF PARCEL 2 OF PARCEL MAP NO. 9975 PER MAP RECORDED IN PARCEL MAP BOOK 47 AT PAGE 23 IN THE KERN COUNTY RECORDER'S OFFICE. BEING IN A PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, T.29S., R.25E., M.D.B.&M., IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA.

P

THIS REAL PROPERTY DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

M

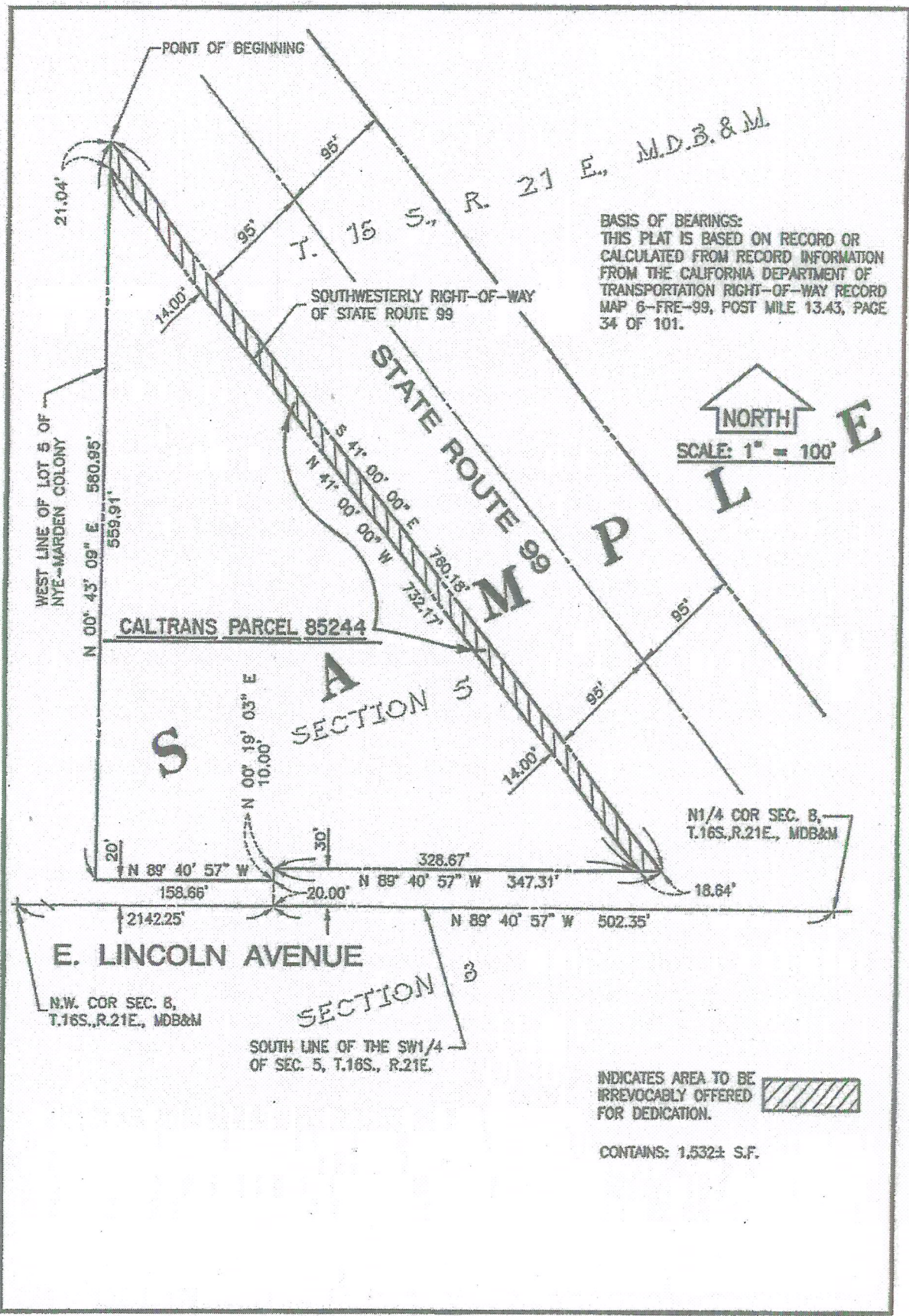
NAME DATE
RCE or LS

A

CALTRANS PARCEL NO. _____



S



February 10, 2016

Subject: Opposition to Amending Conditional Use Permit

Attention: Mr. Joey Dinh, Madera County Planner

This letter is written for the purpose to show opposition to the amending the conditional use permit to allow the building of a Dollar General Store. As per our telephone conversation on Thursday February 4, 2016, the board members of the Indian Lakes Estates Property Owners' Association, Inc. are unanimously opposed to the amending the conditional use permit to allow the building a Dollar General Store on the north east corner of Highway 41 & Rd. 417 in Coarsegold.

Road 417 & Hwy 41 is basically the only exit & entrance for the 498 homes in Indian Lakes. This corner is also the entrance & exit for Fire Station #8. Also this intersection is the entrance & exit for the Quartz Mountain Subdivision, Picayune Rancheria, and other homes on Road 417. There is also traffic from Chukchansi Gold Resort & Casino patrons whom have missed the turn off for the casino. Across the street from this intersection is another subdivision and gas station/convenience store. This already is a very busy intersection. More traffic at this intersection would be devastating to our quality of life and safety.

A better fit for the Dollar General could in Coarsegold Town or at the new YLP Shopping Center.

Thank you for strongly noting our opposition to this matter

Please feel free to contact us.

Carol Potter



Secretary

559-683-3403

martino@sti.net

Board Members Bill Fjellbo, President, (559) 642-4511 bjfjellbo@sti.net; Jay Stallsmith, Vice President (559)658-6299 jwstallsmith@hotmail.com; Debra Groves, Treasurer, (559) 683-3559 dgroves@sti.net
Jim Brohm, Water & Community Affairs Committee (559)641-2559 jbrohms@sti.net.

RECEIVED

FEB 10 2016

MADERA COUNTY
PLANNING DEPARTMENT

February 12, 2016

Joey Dinh, County Planner

Madera County Community & Economic Development Planning Division
200 W. 4th Street
Madera, Ca 93637-3548

RE: Opposition to Amending Conditional Use Permit/ Dollar General Store

Dear Mr. Dinh:

I/We are strongly opposed to amending the conditional use permit to allow the building of a Dollar General Store on the north east corner of Highway 41 & Road 417 in Coarsegold.

Road 417 is a "one way in" and a "one way out" road for the all the homes in Indian Lakes Estates and Quartz Mountain subdivisions. Additionally, Fire Station #8 is located on Road 417, along with the Picayune Rancheria, and all the homes from Highway 41 to the entrance of Indian Lakes and Quartz Mountain. The residents of Chukchansi Road and beyond must also use Road 417. Sierra Ambulance has an ambulance stationed on Big Sandy which is nearly across the road from the proposed Dollar General Store. A church is also located at the corner of Big Sandy and Road 417.

Over the years, Road 417 has become a very busy road due to growth in this area and adding to the congestion will not be a good situation.

Highway 41 and Road 417 is an extremely busy intersection. The Chevron gas station and mini mart on the southwest corner and the homes beyond the gas station adds more traffic in the area.

The Dollar General should be in "downtown" Coarsegold or at the new Yosemite Lakes Park Shopping Center, which is under construction.

Please consider our concerns and opposition to the building of Dollar General Store at Road 417 and Highway 41.

Sincerely,

James and Barbara Harregan

30323 Longview Ln E.

Coarsegold, CA 93614

RECEIVED
FEB 18 2016
MADERA COUNTY
PLANNING DEPARTMENT

February 12, 2016

Joey Dinh, County Planner

Madera County Community & Economic Development Planning Division
200 W. 4th Street
Madera, Ca 93637-3548

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Please consider our concerns and opposition to the building of Dollar General Store at Road 417 and Highway 41.

Sincerely,

Lyle Housley
Darlene Housley
47571 Modoc Rd. Coarsegold

RECEIVED
FEB 16 2016
MADERA COUNTY
PLANNING DEPARTMENT

February 12, 2016

Joey Dinh, County Planner

Madera County Community & Economic Development Planning Division
200 W. 4th Street
Madera, Ca 93637-3548

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Please consider our concerns and opposition to the building of Dollar General Store at Road 417 and Highway 41.

Sincerely,

Jamara Underwood
46399 Rd 417
Coarsegold, Ca

HONESTLY THIS DOES NOT BELONG IN THIS AREA. THERE SHOULD BE A MORATORIUM WITH THIS WATER PROBLEM. PLEASE NO

RECEIVED

FEB 18 2016

MADERA COUNTY
PLANNING DEPARTMENT

February 12, 2016

Joey Dinh, County Planner

Madera County Community & Economic Development Planning Division
200 W. 4th Street
Madera, Ca 93637-3548

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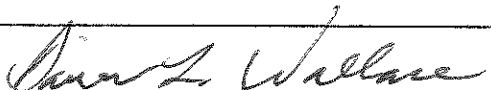
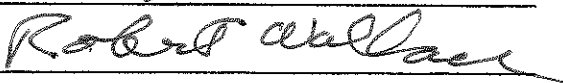
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Please consider our concerns and opposition to the building of Dollar General Store at Road 417 and Highway 41.

Sincerely,

RECEIVED
FEB 18 2016
MADERA COUNTY
PLANNING DEPARTMENT

ROBERT & DAWN WALLACE
31816 COTTONWOOD ROAD
COARSEGOLD, CA 93614-9719

Customer Name	Association	Phone Number	Email	Request	Comment
Brian Wilkinson	Sierra Star Newspaper	(559)683-4464	editor@sierrastar.com	Initial Study	N/A
Carol Potter	Indian Lakes Estates Property Owners' Association, Inc	(559)683-3403	martino@sti.net	N/A	Concerned over increased traffic and the resulting hazard (traffic collisions) that follows.
Sunny Singh	Madera County intern; Uncle owns a store in the area.	N/A	N/A	Initial Study/MND	N/A
Shawn Gerwall	N/A	(408)759-1580	sanjigrewal@gmail.com	Initial Study/MND	N/A
Rose Wright	N/A	N/A	rose2go@sti.net	Op Stmt/IS	N/A
Brad Ditton	Surrounding property owner (Century 21).	(559)760-3485	b.ditton@century21.com	N/A	Architectural design review (No butler building).
Louella Bardwell	Possibly YLP homeowner	(559)658-6128	lrbreb@sti.net	N/A	Against project. Thinks restaurant should be built instead.
Lyle Housley/Darlene Housley	47571 Modoc Rd, Coarsegold, CA	N/A	N/A	N/A	Concerned over increased traffic on Road 417.
Bill Fjellbo, Jay Stallsmith, Debra Groves, and Jim Brohm	Indian Lakes Estates Property Owners' Association, Inc	(559)642-4511; (559)658-6299; (559)683-3559; (559)641-2559	jbfjellbo@sti.net ; jwstallsmith@hotmail.com ; dggroves@sti.net ; jbrohman@sti.net	N/A	Concern over increased traffic on Road 417.
James Harregin, Barbara Harregin	30323 Longview Lane, Coarsegold, CA 93614	N/A	N/A	N/A	Concern over increased traffic on Road 417.
Tamara Linderwood	46399 Road 417, Coarsegold, CA	N/A	N/A	N/A	Concern over increased traffic on Road 417.

Environmental Checklist Form

Title of Proposal: CUP #2015-013 Embree Asset Group

Date Checklist Submitted: 01/11/2016

Agency Requiring Checklist: Madera County C&ED, Planning Division

Agency Contact: Joey Dinh, Planner I

Phone: (559) 675-7821

Description of Initial Study/Requirement

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

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

Description of Project:

The request is to amend an existing Conditional Use Permit (CUP#1993-007) to allow for a Dollar General variety store. The proposed one-story 9,100 sq. ft. facility will be located on a 1.25 acre parcel in the Coarsegold area of Madera County. In addition to new building construction, there will be a proposed freestanding sign at the corner or the intersection to advertise the business. The proposed facility will be open seven days a week from 06:00 a.m. to 09:00 p.m., with an average of 100 customers, and would have about eight employees (four employees per shift). The store will be selling a variety of standard household items onsite but items will be produced offsite.

Project Location:

The project is located on the northeast corner of the intersection of Highway 41 and Road 417 (no situs).

Applicant Name and Address:

Embree Asset Group
2355 E Camelback Road, Suite 315
Phoenix, AZ 85016

General Plan Designation:

Neighborhood Commercial (NC)

Zoning Designation:

Planned Development District (PDD)

Surrounding Land Uses and Setting:

Undeveloped (north), Road 417 and residential (south), residential (east), State Highway 41 and commercial (west).

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature

December 1, 2015
Date

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

Discussion:

(a - b) No Impact. There are no scenic vistas in the vicinity of this project site. The closest areas that are being considered as scenic highways by the California Department of Transportation (CALTRANS) are sections Highways 41 and 49, north of Oakhurst, CA.

There are no scenic resources in the vicinity of this project.

(c - d) Less than Significant. The site is currently undeveloped, while the surrounding uses are residential and commercial. Therefore, developing the site will not have any substantial impacts or degrade the existing visual character of the site or surroundings. However, the project will be required to build a six foot masonry block wall surrounding the property on the sides that neighbor residentially zoned properties.

The proposed building will not produce any glare because most of the construction materials will be stone and metals that are gray-toned and bronze in color. Construction and operations of the facility will produce some night-time light pollution. However, the overall effect will be less than significant with mitigation measures such as requiring the facility to have hooded lights that are directed away from surrounding properties and roads.

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.

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

or conversion of forest land to non-forest use?

Discussion:

(a - d) No Impact. The project parcel is not recognized under the Farmland Mapping and Monitoring Program of the California Resources Agency as “Prime Farmland, Unique Farmland, or Farmland of Statewide Importance”. The parcel is zoned Planned Developed Development (PDD) and is not in an existing zoning for agricultural use, therefore it is not subject to the Williamson Act. . The property is not within forestry or timberland protection areas and therefore is not subject to PRC 12220(g) nor is it zoned for farmland or timberland use.

(e) Less Than Significant Impact. The property is currently undeveloped and zoning as PDD, however, the surrounding area is zoned as Commercial, Rural, Median (CRM), Rural, Mountain, Single-Family (RMS), or Agricultural, Rural, Foothills (ARF). Although the immediate site would not be converting agricultural or forest land, the surrounding ARF zoned properties could be affected. However, a six foot block wall will be constructed on the property lines neighboring agricultural and residentially zoned properties in order to reduce any possible effects to less than significant.

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 nonirrigated 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.

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

Discussion:

(a - d) Less Than Significant with Mitigation Incorporation. The mountain communities have two main air quality issues, ozone and PM-10. Ozone is contributed mainly through long-distant commutes of the residents to jobs in the Valley or Fresno and of travelers commuting to Yosemite National Park. Mountain residents also often use wood stoves and heaters as their primary heating sources, which contribute to PM-10 emission levels. Though the area is no longer in non-attainment, both criteria pollutants are of concern.

Construction activities associated with the project will be temporary but will still contribute dust and affect air quality. During construction, particulates will be generated by vehicular traffic and construction equipment but will be intermittent and of limited duration. After construction, there will be increased vehicular traffic and emissions in the area. In addition, the project is located next to commercial and residential zone districts so there is the possibility of sensitive receptors of pollutants. Due to the potential effect on ambient air quality, the project will need to comply with San Joaquin Valley Air Pollution Control Board regulations to reduce the impacts of the project to less than significant levels.

(e) Less than Significant Impact. The project would not create objectionable odors affecting a substantial number of people. During business operations, there should be no substantial odors as long as the business properly transports and stores goods or trash generated by the business.

General Information

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.

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

Discussion:

(a - b) Less Than Significant Impact. While the table below shows a listing of potential special status species, no special status plant or animal species or unique habitat is known to exist on the project site or surrounding area. No impacts to biological resources would occur as a result of this project. No locally designated resources exist in this area of the county. Resources such as wetland habitat or migration corridors are not present. The project would not conflict with any local policies or ordinances protecting biological resources. The project would not conflict with any provision of any conservation plans.

Riparian habitats are defined as “of or relating to the bank of a stream, river or lake.” There are no streams, rivers or lakes associated with this project or in the immediate vicinity of the project site. No streams, rivers, creeks or drainages cross this parcel or will be impacted as a result.

Riparian habitats are those plant communities supporting woody vegetation found along rivers, creeks and streams. Riparian habitat can range from a dense thicket of shrubs to a closed canopy of large mature trees covered by vines. Riparian habitat also provides riverbank protection, erosion control and improved water quality, as well as numerous recreational and aesthetic values. Within the area, the riparian woodland canopy may include fremont cottonwoods, willows, digger pines, and oaks. Species occurring more specifically within riparian habitat include button brushes, rushes, white hedgenettle, water buttercups, and meadow foam.

(c - f) No Impact. No federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) exist on the site. There are no impacts determined as a result directly or indirectly as a result of this project.

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.” 33 CFR §328.3(b).

The proposed project will not substantially impact the migratory patterns of wildlife in the area. Development already exists on the surrounding parcels and has for several years. The surrounding area is thickly wooded and provides for the potential of nesting trees both on and off the site. What little, in comparison to the whole, is being proposed for this project will not impact the migration patterns.

The project will not conflict with any local policies or ordinances protecting biological resources or provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

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:

Species	Federal Listing	State Listing	Dept. of Fish and Wildlife Listing	CNPS Listing
Gregarious Slender Salamander	None	None	None	None
Foothill Yellow-legged Frog	None	None	SSC	None
Cascades Frog	None	None	SSC	None
Northern Goshawk	None	None	SSC	None
Golden Eagle	None	None	FP, WL	None
Bald Eagle	Delisted	Endangered	None	None
Great Grey Owl	None	Endangered	None	None
Valley Elderberry Longhorn Beetle	Threatened	None	None	None
Long-legged myolis	None	None	None	None
Western Pond Turtle	None	None	SSC	None
Central Valley Drainage Hardhead/Squaw fish Stream	None	None	None	None
Central Valley Drainage Rainbow Trout/Cyprinid Stream	None	None	None	None
Tree-anemone	None	Threatened	None	1B.2
Streambank Spring Beauty	None	None	None	4.2
Madera Leptosiphon	None	None	None	1B.2

North Fork 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.

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 habitats. 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.

V. CULTURAL RESOURCES -- Would the project:

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

interred outside of formal cemeteries?

Discussion:

(a - d) Less Than Significant. While the County is known to potentially have historical and archaeological resources, due to the development of surrounding properties as residential and commercial, the chances of finding any archaeological or paleontological resources are less than likely. Most of the paleontological finds in Madera County have been found in the proximity of the landfill, located near the community of Fairmead. Most of the historical finds in Madera County have been found in the mountain and foothill areas above the valley floor due to previous Native American presence in the area. However, any new findings are unlikely on this parcel because the surrounding parcels have been developed extensively as a commercial and residential. The likelihood of any finds in this area is minimal. There are no known fossil bearing sediments on the project site. No known unique geological features in the vicinity of the project site exist. However, there is still the potential for uncovering previously unknown human remains or cemeteries. Therefore, the project will cease all operations in the event that any human remains, cemeteries, archaeological, paleontological, or historic resource is uncovered during the construction or operational phase of the project, until the County can determine whether or not the project can continue.

If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities should be halted and a professional archaeologist will be brought in to determine the culture of the deposits.

General Information

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.

VI. GEOLOGY AND SOILS -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Discussion:

(a - b) Less Than Significant With Mitigation Incorporation.

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, ground shaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater ground shaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from ground shaking 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.

The topography of the area has the potential for mudslides and landslides under certain conditions such as heavy rainfall. Rainfall that unable to percolate into the ground could cause intermittent flooding, which would increase the potential for mudslides and landslides. It is not known how substantial soil erosion will be in this particular area, but with any unpaved areas, there will be some during rainfall.

Developments for the project will result in loss of topsoil. Expected grading will result in the transport of different soils to and from the site. The applicant shall submit a detailed grading plan for review by the Engineering Department. When ground disturbance occurs on the project site there is the possibility for erosion of soil on and around building sites. With the creation of new roads and other construction activities, storm water may be directed into other areas and could potentially increase erosion. Hazardous materials such as oil and grease may enter into the soil as a result of using heavy machinery and creating new runoff. By complying with standards of the Madera County Engineering Department of submitting a detailed Drainage Study Plan, damage to the soil would be less than significant.

(c - e) Less Than Significant Impact. No impacts have been identifies as a result of this project however, the project will still need to submit project, grading, building, water supply, and septic system plans to the Public Works, Building, and Environmental Health Departments for review and will need to comply with local and state regulations.

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

Discussion:

(a - b) Less Than Significant Impact With Mitigation Incorporation. Project construction is expected to emit some greenhouse gases, however these emissions would be minimal, intermittent, and temporary. However, because the project will be a constructing a new retail store, the expected increase of vehicular traffic is expected to have increased greenhouse gas emissions. The project will have to comply with any and all applicable San Joaquin Air Pollution Control Board regulations.

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

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion:

(a - c) Less Than Significant Impact. The proposed business is a Dollar General store and is not expected to handle, storage, or transport hazardous materials. However, since it is a variety retail store, there is a potential that the store would sell goods that could be hazardous if improperly transported, stored, or disposed of such as common household cleaning agents and motor oil. Therefore, the use, transportation, storage, and disposal of any hazardous materials, as determined by federal, state, and local agencies, must meet the requirements for approval through the Environmental Health Department. A hazardous materials business plan will be approved which will require these materials to be handled and used in an allowable manner on-site.

As stated above, the hazardous materials plan which the project is required to complete will set guidelines for the storage of the materials on-site which may be harmless to the public or the environment. If stored in compliance with the plan, there will be limited to no impact.

There are no schools within one quarter mile of the proposed business. There project is adjacent to commercially and residentially zoned properties however.

(d – f) No Impact. The subject property does not appear on a list of hazardous materials sites.

The proposed project is not located within an airport land use plan, airport, or private airstrip.

(g - h) Less Than Significant With Mitigation Incorporation. The project is not expected to interfere with an adopted emergency response plan or emergency evacuation plan. However, Road 417, where the project’s access is off of, is a two lane arterial road that will experience an increase in traffic. In order to alleviate the traffic along Road 417 and Highway 41, the project is building adding

a left turn lane on Road 417.

The proposed project would put a new retail building within an area which could be subject to wild fires. However, developing the project in accordance to Fire Code standards should limit the spreading of wildfires and mitigate the impact to less than significant.

General Information

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>

IX. HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

or off-site?

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a - f) Less than Significant Impact With Mitigation Incorporation. There have been no significant problems with water quality or waste discharge in the area however the project will provide and maintain its own drainage system and all on-site runoff will be contained on site. This project detail should alleviate any potential for runoff to affect water quality or waste discharge requirements to less than significant. In addition the project will be required to submit grading plans to the Public Works Department for review of any drainage, runoff, or water quality issues associated with grading.

The project is use an existing water main in Road 417 to supply water to the parcel. The project estimates that business operations will use approximately 30,000 gallons annually for operational use and approximately 540,000 gallons annually for irrigation. Per week, the proposed retail store will be using approximately 576 gallons for operations and approximately 10,000 gallons for irrigation. The property will be landscaped with drought tolerant landscaping in order to minimize water usage for irrigation. There were no comments received from California Department of Water Resources or the California Regional Water Quality Control Board, however due to the severity of the California drought, the project will still need to comply with any and all state and local water regulations.

There will be no streams or rivers altered as a result of this project. There may be slight changes in erosion patterns as a result of new structures and impervious surfaces being created as a result of this project. With mitigations, this impact can be reduced to less than significant.

(g – j) No Impact. The project is not within the 100-year flood hazard area nor is it in the vicinity of a levee or dam. The project area is not typically subject to seiche, tsunami, or mudflow events due to the location not being near an ocean, a downward slope, or body of water.

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.

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

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion:

(a & c) No Impact. This project will not physically divide an existing community or be an impact on habitat conservation plans.

(b) Less Than Significant Impact. The proposed use of a variety retail store is consistent with the general plan designation of Neighborhood Commercial and the zoning designation of Planned Development District. However, the use still requires a Conditional Use Permit be issued before construction and operations can commence.

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

Discussion:

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

XII.	NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Discussion:

(a - d) Less than Significant Impact with Mitigation Incorporation. The proposed project is expected to generate noise in excess to the standards established by the Madera County Noise Ordinance and may generate groundborne vibration and noise during the construction phase which would be intermittent and temporary. Mitigation measures have been required on the construction phase of the project in order to mitigate to a less than significant impact. Construction Activities are limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction activities will be prohibited on Sundays.

After construction, operations of the proposed business will generate some noise due to increased vehicular trips. However, the operational noise is mostly generated during the hours of the day when most of the population is at school or work. Mitigation measures such as operational hours of business from 6AM to 9PM and the six-foot masonry block wall will mitigate ambient noise levels to less than significant.

(e - f) No Impact. The proposed project is outside the flight path of the airport nor is it in the vicinity of a private airstrip and will not subject people to noise levels which could be considered excessive.

Policy 6.28.040 A: Agricultural activity, operation or facility, or appurtenances thereof includes, but is not limited to, the cultivation and tillage of the soil, dairying...the raising of livestock...or any practices performed...in conjunction with such...operations including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

Policy 6.28.050 A: No agricultural activity, operation or facility...shall be or become a nuisance, private or public, due to any changed condition in or about the locality...

General Discussion

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

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

Short Term Noise

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

Long Term Noise

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

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, 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	AM	60	65	65	70	65

(H)	PM	55	60	60	65	60
Agricultural	AM	60	60	60	65	60
	PM	55	55	55	60	55
<p>*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.</p> <p>AM = 7:00 AM to 10:00 PM PM = 10:00 PM to 7:00 AM L = Light H = Heavy</p> <p>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).</p>						

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.

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings
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	Architectural damage and possibly minor structural damage

	vibration	
Source: Whiffen and Leonard 1971		

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

Discussion:

(a) Less Than Significant Impact. The project will add a new business and improve infrastructure in the area by adding a left turn lane heading into the property on Road 417 but the overall effect on growth is less than significant.

(b - c) No Impact. The proposed business would serve the existing the community but will not require additional construction of housing. The construction of and operation of the facility will not have an impact on housing or population needs for the County or the area specifically. The surrounding area is predominately residentially zoned and sparsely populated.

XIV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or				

other performance objectives for any of the public services:

- | | | | | |
|-----------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| i) Fire protection? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a – i) Less than Significant with Mitigation Incorporation. The Madera County Fire Department exists through a contract between Madera County and the 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 facility is not near any fire station. It will need to be constructed pursuant to most current building and life safety codes at time of construction.

(a - ii) Less than Significant Impact. The operations will need to comply with existing fire and life safety code requirements for the type of occupancy.

The proposed project in and of itself would not result in any additional demands for police protection with the exception of ancillary need for potential events of vandalism and theft.

The Madera County Sherriff’s Department provides crime and emergency response. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site.

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

(a iii - v) No Impact. No impacts are anticipated as a result of this project as it does not relate to any educational programs, or increase the surrounding population.

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

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

No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

No impacts identified as a result of this project.

XV. RECREATION

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

Discussion:

(a - b) No Impact. No impacts have been identified to recreational facilities as a result of this project.

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

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion:

(a, b, d, & e) Less Than Significant With Mitigation Incorporation. The project would not result in a conflict with an applicable plan, ordinance, or policy in relationship to the circulation and transportation system in the area. However, the project is expected to add additional vehicular trips and resulting traffic. In order to mitigate potential traffic issues to less than significant levels, the project is adding a left hand turning lane on Road 417 for any traffic trying to gain access to the property. This should adequately alleviate traffic along Road 417 and Highway 41.

(c & f) No Impact. The project has no potential to conflict with any air traffic plans and will have no impact upon alternative transportation.

General Information

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	Total Lane Miles
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			(millions)	
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.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

entitlements needed?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

(a, d, f, & g) Less Than Significant Impact. During construction, it is expected that minimal amounts of water will be used and minimal amounts of wastewater will be generated. The project will be served water by connecting to an existing underground water main under Road 417. The project is also constructing an on-site basin to collect any wastewater and runoff generated by the project. The project will also have a septic system that is expected to contribute 300 gallons per day during operations. The septic system will comply with Environmental Health regulations and the basin will comply with regulations from Public Works in addition to any and all applicable state and federal regulations.

At this time, it is unknown specifically how much solid waste will be generated by the business but it is expected to be sufficient with current landfill capacities.

(b, c, & e) No Impact. No impacts are expected because the project will require or result in the new construction of a water, wastewater or storm water facility. The project will retain its own wastewater and runoff through a basin and have an onsite septic system. The current water system in the place for the area is sufficient for the project.

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.

XVIII MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion:

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1).
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2).
- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

(a) Less Than Significant. The project does not have the potential to degrade fish and wildlife, or their habitat, or to eliminate major periods of California history or prehistory. Construction of the project would not substantially degrade the quality of the environment or reduce the habitat of fish or wildlife species. There are no wetlands identified, so impacts would not occur. The proposed project would not cause population numbers of any special status species to drop below self-sustaining levels or threaten to eliminate a plant or animal community. The construction will not reduce the number or restrict the range of a rare plant or animal.

(b - c) Less Than Significant Impact With Mitigation Incorporation. Overall, the construction of the project will not have significant cumulatively since construction will not be considerable in time. However, the operational phase of the project will need to comply with mitigation measures and regulation set forth by federal, state, and local agencies in order to mitigate impacts to a less than significant impact cumulatively.

The project should not cause adverse effect on human beings either directly or indirectly. However, there is potential for adverse effects on human beings through air quality, traffic, and noise. Project compliance with mitigation measures set forth in this document should reduce to a less than significant level.

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

Madera County General Plan

California Department of Finance

California Department of Toxic Substance Control (DTSC) <http://dtsc.ca.gov/database/index.cfm>

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 accessed October 31, 2008

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

Madera County Department of Engineering and General Services

Madera County Environmental Health Department

Madera County Fire Marshall's Department

Madera County Integrated Regional Water Management Plan

Madera County Public Works 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

MITIGATED NEGATIVE DECLARATION

MND 2016-002

RE: Embree Asset Group – Conditional Use Permit #2015-013

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the northeast corner of Road 417 and Highway 41 in Coarsegold, CA. No situs.

The project is a request for an Amended Conditional Use Permit to allow a 9,100 square feet variety retail facility. The proposed facility is for a Dollar General store.

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

1. Please see attached Mitigation Monitoring Report.

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 4th Street, Madera, California.

DATED:

FILED:

PROJECT APPROVED: