

## Community and Economic Development Planning Division

Matt Treber  
Deputy Director

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**PLANNING COMMISSION DATE:** March 1, 2016

**AGENDA ITEM:** #2

GP	#2015-005	General Plan Amendment and Conditional Use Permit to allow a Food Mart, Sandwich Shop and Fuel Islands
CUP	#2015-011	Applicant: Daljit Singh
APN	#051-364-001	Owner: Singh, Daljit, Gill, Iqbal S., Gill, Jasvir Kaur., Kaur, Harjit
CEQA	MND #2016-003	Mitigated Negative Declaration

### REQUEST:

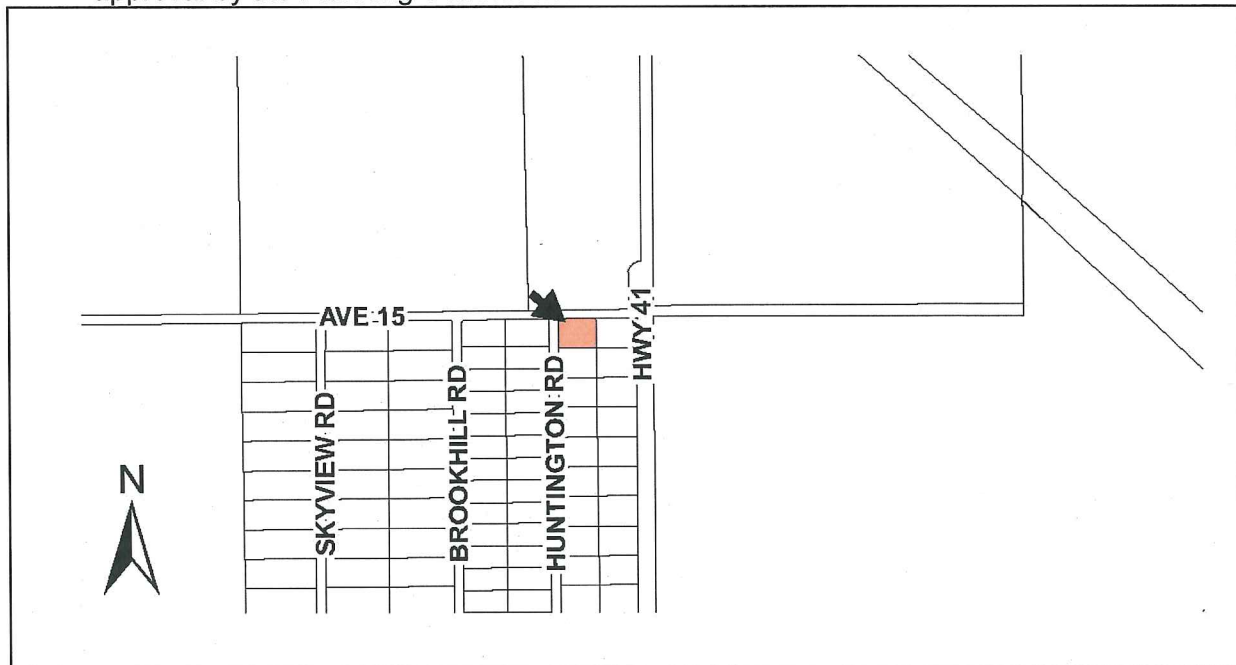
The applicant is requesting a General Plan Amendment and Conditional Use Permit to allow a 4,000 sq. ft. food mart with adjacent 1,500 sq. ft. sandwich shop and fuel islands for cars and diesel vehicles.

### LOCATION:

The property is located on the southeast corner of the intersection of Avenue 15 and Huntington Road (no situs), Madera.

### ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (ND #2016-03) has been prepared and is subject to approval by the Planning Commission.



### RECOMMENDATION:

Recommend approval of the General Plan Amendment (GP 2015-005), Conditional Use Permit (CUP #2015-011), and Mitigated Negative Declaration (ND 2015-18) subject to conditions and the mitigation monitoring program.

**STAFF REPORT**

March 1, 2016

GP #2015-004, CUP #2015-011

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

**SITE:** PO (Professional Office) Designation

**SURROUNDING:** PO (Professional Office), CC (Community Commercial), AE (Agricultural Exclusive) and VLDR (Very Low Density Residential) Designations

**O'NEALS AREA PLAN (Exhibit A-2):**

**SITE:** RCA (Rural Commercial Area) Designation

**SURROUNDING:** RCA (Rural Commercial Area), RDA (Rural Development Areas) and RCA & PL (Resource Conservation & Public Land) Designations

**PROPOSED GENERAL PLAN DESIGNATION:**

CC (Community Commercial) Designation

**ZONING (Exhibit B):**

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

**SURROUNDING:** CRM/MHA (Commercial Rural Median/Manufactured Housing Architectural Review Overlay), ARV-40 (Agricultural, Rural, Valley – 40 Acre) and RRM/MHA (Residential Rural Multiple Family/Manufactured Housing Architectural Review Overlay) Districts

**LAND USE:**

**SITE:** Vacant

**SURROUNDING:** To the north the property is vacant. There is a retail center to the east, residential with commercial uses to the south and single family dwellings to the west.

**SIZE OF PROPERTY:** 1.15 Acres

**ACCESS (Exhibit A):** Ingress and egress to the property is from Avenue 15.

**BACKGROUND AND PRIOR ACTIONS:**

The subject parcel Lot #26 of the Bonadelle Ranchos Subdivision No. 9 that was recorded in 1964.

**PROJECT DESCRIPTION:**

The applicant is proposing to amend the General Plan from PO (Professional Office) to CC (Community Commercial) Designation. A Conditional Use Permit is also being requested to allow a 4,000 square foot food mart with adjacent 1,500 square foot sandwich shop and fuel islands for cars and diesel vehicles. The property is currently vacant. To the north the property is vacant. There is a retail center to the east, residential with commercial uses to the south and single family dwellings to the west. A masonry fence will be constructed along Huntington to Screen the facility from the houses. Landscaping will be provided on the perimeter.

The facility will be a single story wood framed building with stucco exterior, tile accent roof and storefront windows. Approximately 500 gallons a day of water will be provided by an existing domestic water well. Waste water will be disposed of by private septic system.

Access will be from Avenue 15. The facility will operate year-round and will be operational seven days per week from 5:00 a.m. to 12:00 p.m. Approximately 190 to 285 visitors per day are expected. The Food Mart will employ two people and the sandwich shop will employ another two to three people. It is estimated that there will be an average of 150 car and 10 truck trips per day. Twenty-eight parking stall will be provided plus 14 fueling positions at fuel islands provides an additional 7 parking stalls. There will be a free standing pole sign and signage on the building and canopy.

#### **ORDINANCES/POLICIES:**

California Government Code Section 65358(a) establishes authority for amending the General Plan by the Board of Supervisors.

Section 18.110.010 of the Madera County Zoning Ordinance provides the authority under California Government Code Section 65804 to amend or change zoning district boundaries by the Board of Supervisors.

Section 18.34.010 of the Madera County Zoning Ordinance outlines the permitted uses within the CRM (Commercial, Rural, Median) zone district.

#### **ANALYSIS:**

The applicant is proposing to amend the General Plan from PO (Profession Office) to CC (Community Commercial) Designation. A Conditional Use Permit is also being requested to allow a 4,000 square foot food mart with adjacent 1,500 square foot sandwich shop and fuel islands for cars and diesel vehicles. The subject parcel located in Bonadelle Subdivision No. 9. There are 184 parcels in the subdivision that range in size from 1 to 2 acres. The two rows of lots on the eastern boundary of the subdivision are zoned for commercial use. The rest are residential.

The subject property is designated RCA (Rural Commercial Area) in the O'Neals Area Plan. It allows for commercial development that is oriented toward providing retail goods and services for the residents and visitors of the study area and may be acceptable within designated rural development areas provided that the development conforms to the provisions of the Commercial, Rural, Median Zoning District or the Commercial, Rural, Restricted Zoning District and the policies of the Plan that include:

- E(1) The architecture of a development should have a rustic theme and utilize earth tone colors that reflect the natural environment and rural atmosphere of the study area. Unpainted metal shall not be used for any exterior surfaces of a building.
- E(8) The number, area, height, and location of signs for a commercial development shall conform with the overall design of the development, the rural atmosphere of the study area, and the following criteria:
  - (a) Free-standing signs shall not be permitted.
  - (b) Signs mounted on a building shall not exceed the height of the building.

- (c) The total area of all signs mounted or painted on any wall or facade of a building shall not exceed ten percent of the area of the wall or facade upon which they are mounted or painted but need not be less than forty square feet.
- (d) Flashing, rotating, or animated signs shall not be permitted.
- (e) All signs shall be subject to site plan review.

The property to the east has an existing Chevron gas station with retail store selling beverages, liquor, beer, and deli food. The existing drainage basin straddles the property line between the proposed facility and the parcel with the Chevron station. A proposed condition of approval states that the developer or his design engineer or staff is required to verify the basin to ensure it has the adequate capacity to hold the any storm runoff that might be collected into this basin. More detailed analysis and necessary storage calculations of the said basin will need to be provided with the grading improvement plan to Public Works Department for review and approval.

The property is designated Urban and Built-up Land within the Farmland Mapping and Monitoring Program. Project site soils are designated "Urban and Developed Land" on the 2014 Madera County Important Farm Land Map prepared by the California Department of Conservation. The project site is 1.15 acres located approximately 275 feet west of Highway 41 on Avenue 15, Madera. The area has gently rolling hills with approximately 425 foot elevation. Soils are of the Whitney-San Joaquin series. Drainage is good, surface runoff is slow, internal drainage is moderate, erosion hazard is slight. Best suited use is dry farming, grain and range. It would be suitable for pasture, cotton or alfalfa. The subject parcel is within the Bonadelle Ranchos Subdivision No. 9 that was recorded in 1964.

Approximately 190 to 285 visitors per day are anticipated. The Food Mart will employ two people and the sandwich shop will employ another two to three people. It is estimated that there will be an average of 150 car and 10 truck trips per day.

CalTrans requested a limited traffic analysis to estimate the number of trips expected to be generated by the proposed projects. In reviewing the traffic analysis, the estimated number of trips expected at the intersection of SR41/Avenue 15 is 61 A.M. peak hour trips and 88 P.M. peak hour trips. This project will be required to pay their fair share of responsibility for impacts to Highway 41. The mitigation percentage will be 7.5%, the amount will be calculated at a later date. The applicant will be required to enter into an agreement with CalTrans for the collection and tracking of these funds.

This project was circulated to departments and outside agencies for review. This included Caltrans, Regional Water Quality Control, California Highway Patrol, San Joaquin Valley Air Pollution Control Board, Department of Fish and Game, Southern San Joaquin Valley Information Center, Local Native American Tribes and local School Districts. The comments were received from the San Joaquin Valley Air Pollution Control District (SJVAPCD), California Fish and Wildlife and Caltrans. The SFVAPCD concludes that the project would not exceed the Districts significance threshold and would have no significant adverse impact on air quality, however since more than 2,000 square feet of commercial construction is proposed with this project, it must comply with District Rule 9510.

Comments were received from Fish and Wildlife outlining their concerns. They stated that they did not have enough information to assess this project, therefore, they recommended a biological survey. This parcel is within the Bonedelle Subdivision and is currently used for the residence to drive across for access to the neighboring convenience store. One quarter of the parcel is paved. The weeds are plowed down every year and there are no water sources on this property except the drainage basin. The area has been developed since 1964, the chances of any of the listed species being present are less than likely.



The proposed General Plan designation of CC (Community Commercial) will be consistent with the existing zoning and the proposed land use because it is compatible with the objectives, policies, general land uses, and programs specified in the General Plan and will not inhibit or obstruct the attainment of those articulated policies.

#### **FINDINGS OF FACT:**

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

1. *The proposed project does not violate the spirit or intent of the zoning ordinance in that pursuant to Section 18.34.010 of the Madera County Zoning Ordinance, as the proposed use is allowed in the CRM Zone District subject to a conditional use permit for service station with convenience store.*
2. *The proposed project is not contrary to the public health, safety, or general welfare in that the facility will adhere to all conditions of approval and mitigations as approved as they relate to the operations.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors in that the facility must adhere to local and state health and building codes. In addition, any potential environmental impact have been mitigated to a level of less than significant through measures as outlined by the mitigated negative declaration and conditions of approval for the conditional use permit.*
4. *The proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability. The project site is currently vacant. The facility will enhance the neighborhood. The proposed project is compatible with the nature of adjacent uses.*

#### **WILLIAMSON ACT:**

The property is not subject to a Williamson Act contract.

#### **GENERAL PLAN CONSISTENCY:**

The O'Neals Area Plan designations the subject parcel as RCA (Rural Commercial Area). The proposed amendment to the General Plan to change the designation from PO

(Professional Office) to CC (Community, Commercial) will be consistent with the O'Neals Area Plan and surrounding land uses to the east and south and the existing zoning because it is compatible with the objectives, policies, general land uses, and programs specified in the General Plan and will not inhibit or obstruct the attainment of those articulated policies. General Plan Policy 1.D.1 states:

"The County shall require that new community commercial centers locate adjacent to major activity nodes and major transportation corridors."

The proposed location of the proposed commercial facility is approximately 320 feet west of the intersection of State Route (SR) 41 and Avenue 15.

**RECOMMENDATION:**

The analysis provided in this report supports approval of General Plan Amendment (GP 2015-005), Conditional Use Permit (CUP 2015-015) and Mitigated Negative Declaration ND #2016-03 and the Mitigation Monitoring Program as presented.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit D-2, Site Plan
6. Exhibit D-3, Floor Plan
7. Exhibit D-4, Elevation
8. Exhibit E, Aerial Map
9. Exhibit F, Topographical Map
10. Exhibit G, Operational Statement
11. Exhibit H, Environmental Health Comments
12. Exhibit I, Fire Prevention Comments
13. Exhibit J, Public Works Comments (11/17/15)
14. Exhibit K, Public Works Comments (1/29/16)
15. Exhibit L, California Department of Fish and Wildlife
16. Exhibit M, Caltran's Comments.
17. Exhibit N, Limited Traffic Analysis
18. Exhibit O, Caltran's Comments (1/29/16)
19. Exhibit P, Initial Study
20. Exhibit Q, Mitigated Negative Declaration

## CONDITIONS OF APPROVAL

**PROJECT NAME:**

Singh, Daljit - Project - BdS - Madera (051-364-001-000)

**PROJECT LOCATION:**

southeast corner of the intersection of Avenue 15 and Huntington Road (no situs), Madera

**PROJECT DESCRIPTION:**

4000 sq. ft. food mart with adjacent 1,500 sq. ft. sandwich shop and fuel islands for cars and diesel vehicles.

**APPLICANT:**

Singh, Daljit

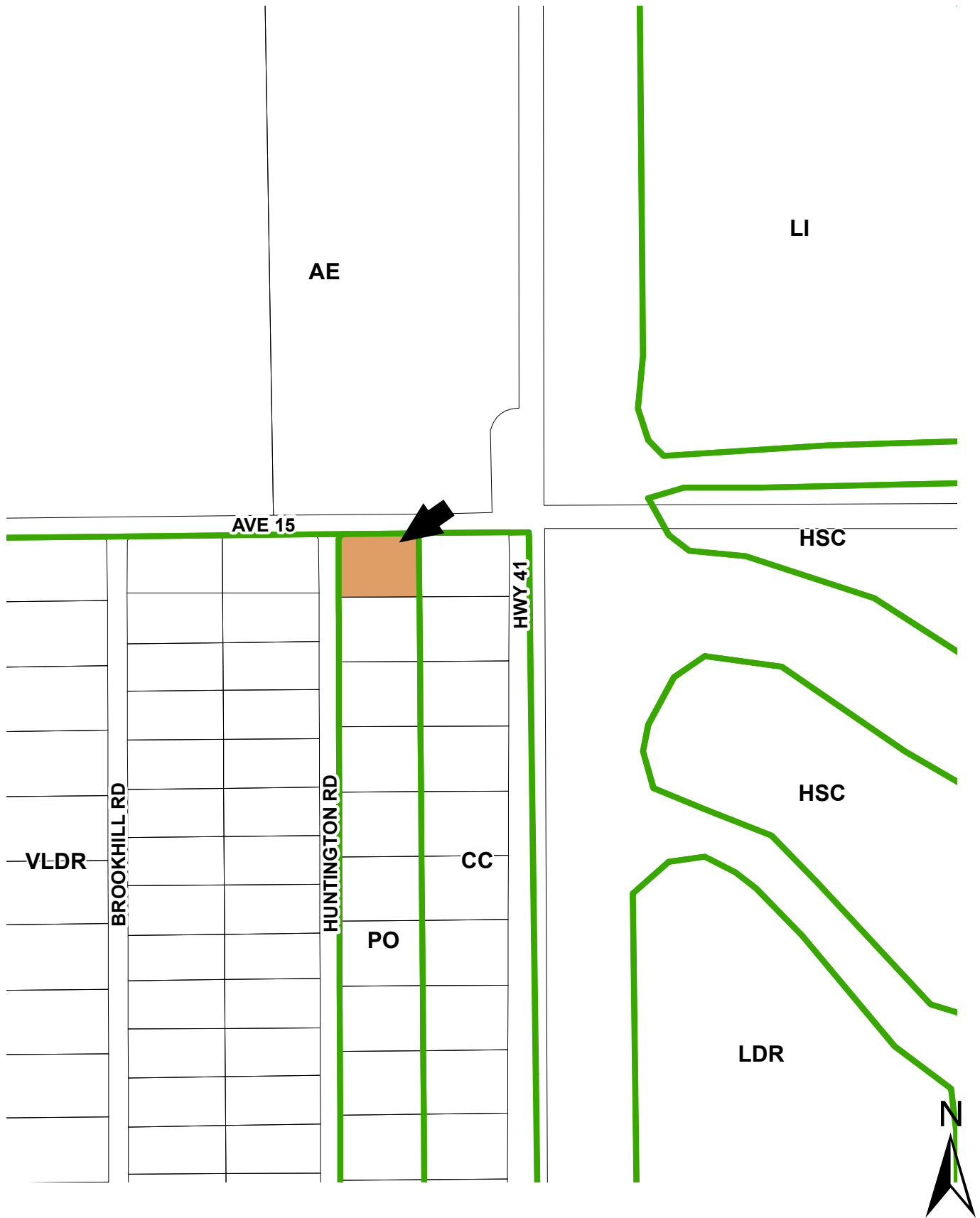
**CONTACT PERSON/TELEPHONE NUMBER:**

Contact: Scott A. Vincent, (559) 225-2602

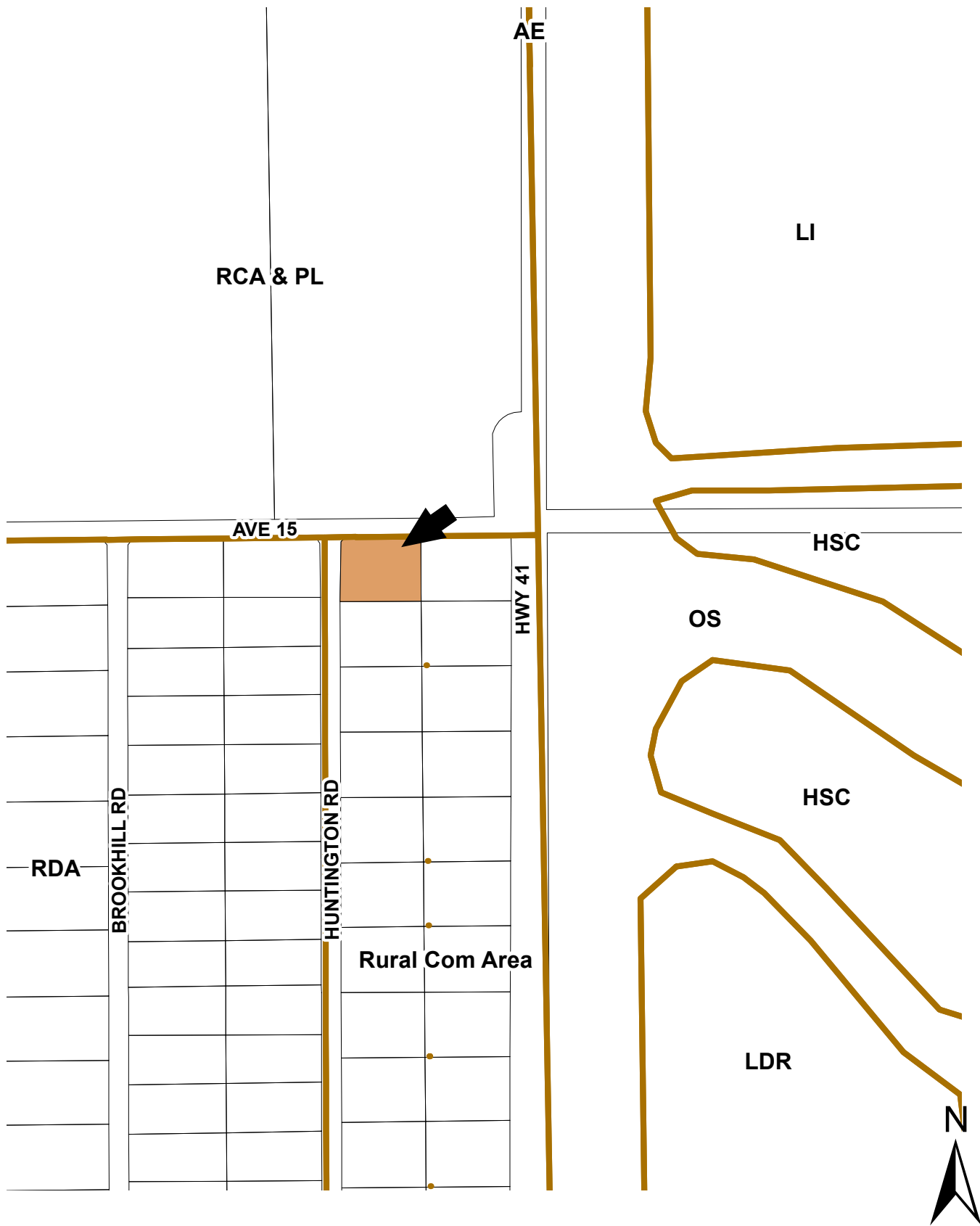
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health</b>					
	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); 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.				
<b>FIRE DEPARTMENT</b>					
	None				
<b>Planning</b>					
	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.				
	All landscaping must comply with the Madera County Water Efficient Landscape Ordinance.				
	All mitigation measures outlined in the Mitigated Negative Declaration shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Governing Body.				
	All signs shall comply with the regulations of the Madera County Zoning Ordinance and the policies of the O'Neals Area Plan and shall be approved by the Planning Department prior to placement.				
	Maintain drainage pond in a weed free manner.				
	Provide a minimum of 28 parking spaces.				
	Comply with the policies of the O'Neals Area Plan.				
	All parking and circulation areas within the proposed project site shall be paved with asphalt or concrete approved by the Madera County Planning Department.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>PUBLIC WORKS</b>					
	Proposed project is required to submit a Grading and Drainage Plan prepared by a Licensed Civil Engineer. A Grading and Drainage Permit is required prior to commencing any site work.				
	A Drainage Report will be required to be submitted with Grading and Drainage Plans.				
	Grading and Drainage Plans must have the state issued Waste Discharger Identification (WDID) on the cover. The WDID is issued after submittal of a Stormwater Pollution Prevention Plan (SWPP) to the State of California.				
	There is an existing drainage basin on site located between the two properties. The developer or his design engineer or staff is required to verify the basin to ensure it has the adequate capacity to hold the any storm runoff that might be collected into this basin. More detailed analysis and necessary storage calculations of the said basin will need to be provided with the grading improvement plan to Public Works Department for review and approval.				
	The developer/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. Applicant/Developer 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.				
	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.				

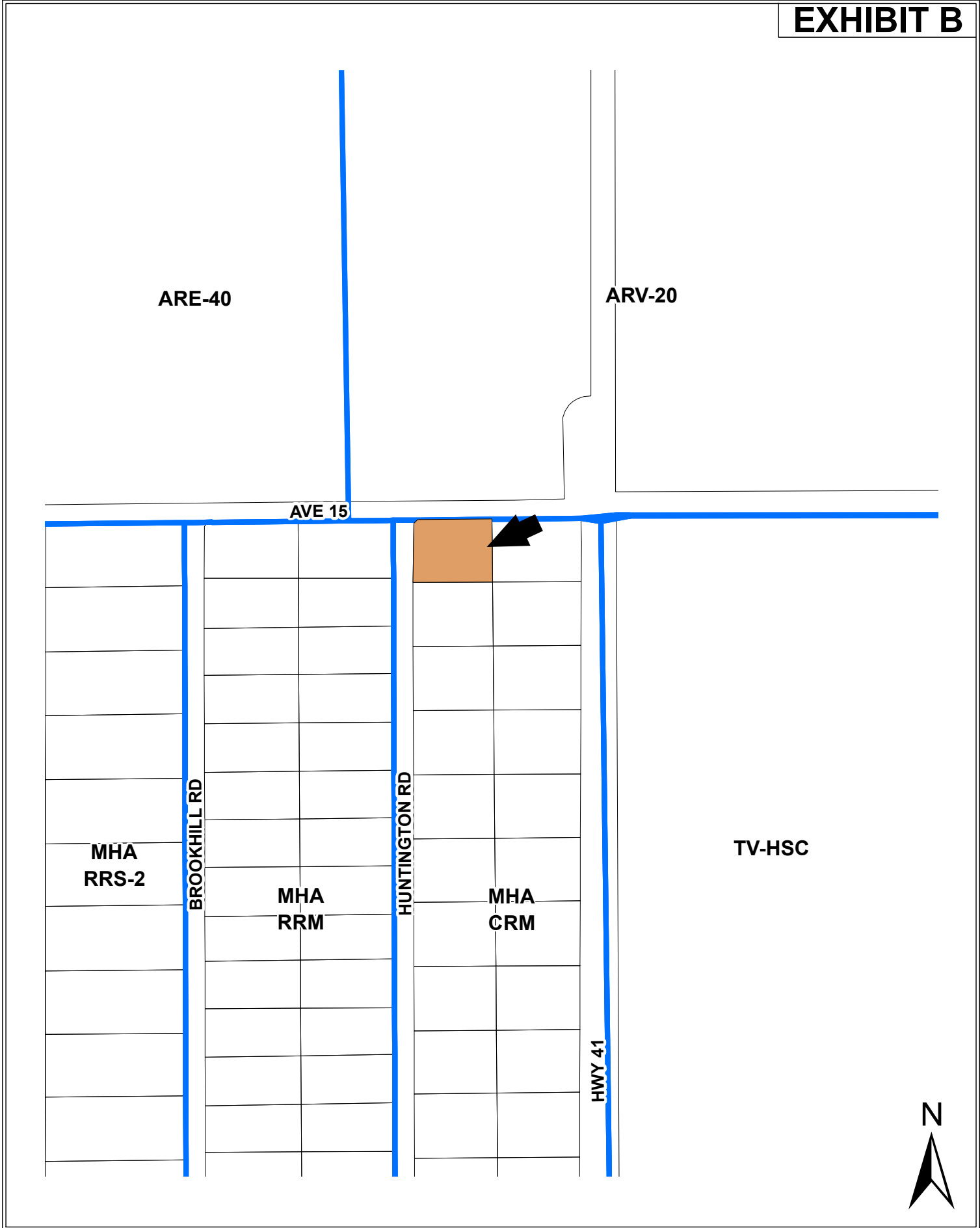




GENERAL PLAN MAP



**O'NEALS AREA PLAN**

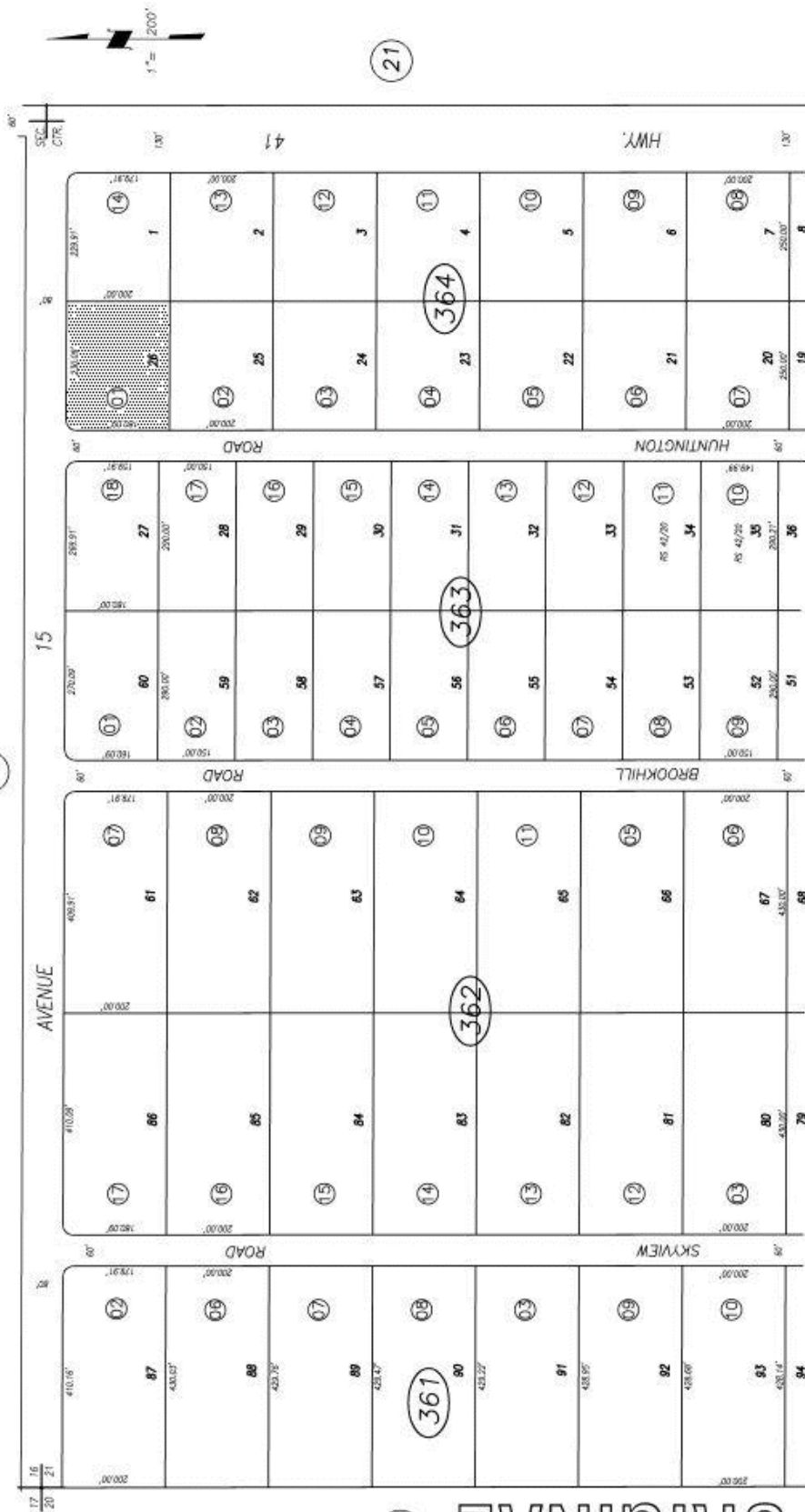


**ZONING MAP**

51-36

Tax Area Code  
65-021

SEC. 21 T. 11S. R. 20E. M.D.B. & M.  
BONADELLE RANCHOS NO. 9  
VOL. 10 PAGES 129-135



Assessor's Map No. 51-36  
Golden Valley Unified  
County of Madera, Calif.  
1965

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

37

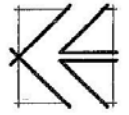
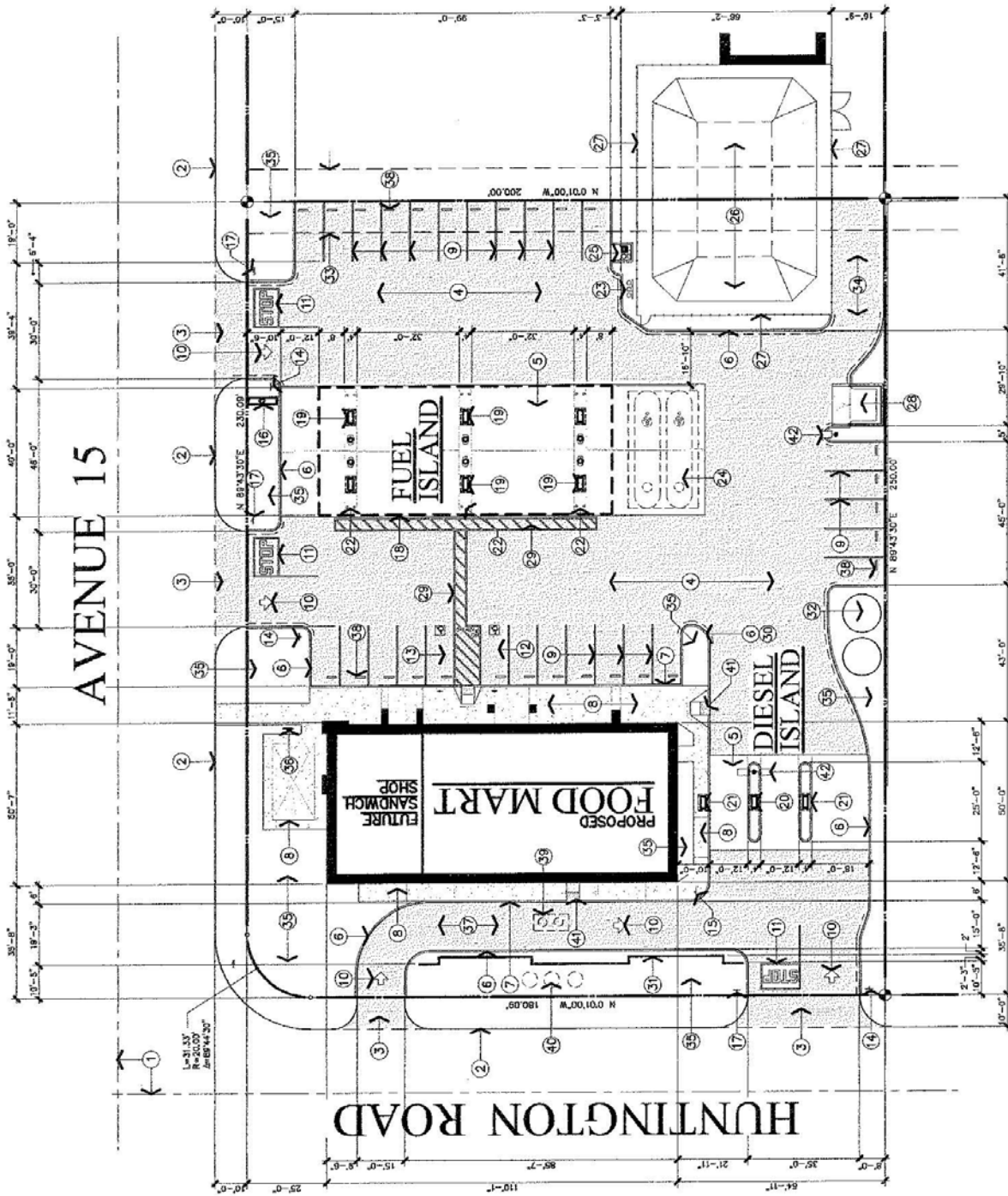
NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

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07386 1-10  
3-18  
4-14 C.A.

ASSESSOR'S MAP





SITE PLAN  
1" = 20'-0"

Highway 412 DESIGN PROPOSAL SITE PLAN.dwg, 11/2/2015 1:51:35 PM, CAD-3

**T H E  
VINCENT  
COMPANY  
ARCHITECTS INC.**  
1400 West Shaw, Ste. 304  
Fresno, California 93711  
Phone: 539-225-2603

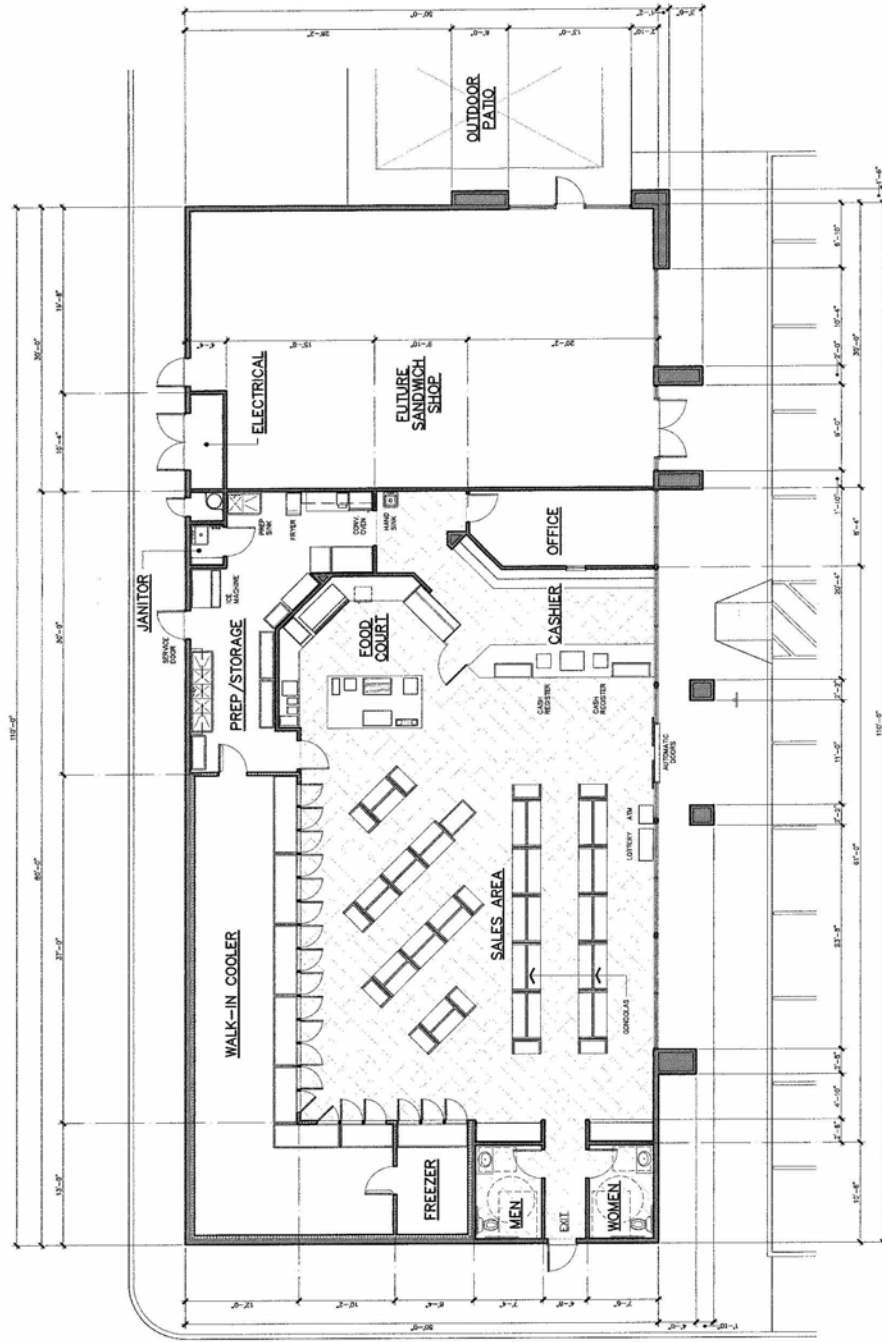
PROPOSED RETAIL DEVELOPMENT FOR  
**AVENUE 15 &  
HIGHWAY 41**  
MADERA, CALIFORNIA



**REVISIONS**

NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	
2	ISSUE FOR CONSTRUCTION	
3	ISSUE FOR RECORD	

**NOTES:**  
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.  
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.  
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS AND THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNER.  
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC UTILITIES.  
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING TREES AND LANDSCAPE.  
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING EROSION CONTROL MEASURES.  
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING WATERWAYS AND WETLANDS.  
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING HISTORIC RESOURCES.  
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING CULTURAL RESOURCES.  
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING ARCHAEOLGICAL RESOURCES.  
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING PALEONTOLOGICAL RESOURCES.  
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING GEOLOGICAL RESOURCES.  
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING SOIL RESOURCES.  
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING AIR RESOURCES.  
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING WATER RESOURCES.  
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING CLIMATE RESOURCES.  
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING BIODIVERSITY RESOURCES.  
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING ECOSYSTEM RESOURCES.  
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL EXISTING SCIENTIFIC RESOURCES.



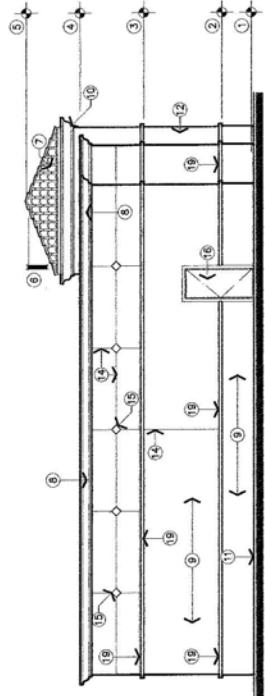
**PROPOSED  
FLOOR PLAN**  
3/16" = 1'-0"

**T H E**  
**VINCENT**  
**COMPANY**  
**ARCHITECTS, INC.**  
1500 West Shaw, Ste. 304  
Fresno, California 93711  
PHONE: 559.225.2602

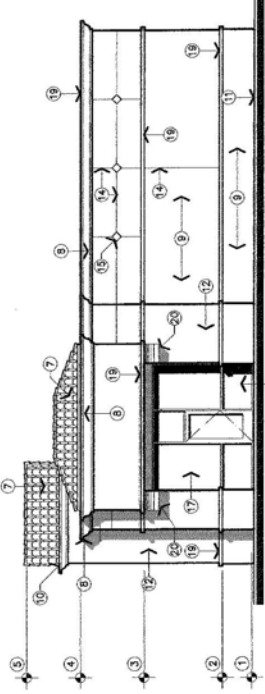
PROPOSED RETAIL DEVELOPMENT FOR:  
**AVENUE 15 &  
HIGHWAY 41**  
MADERA, CALIFORNIA



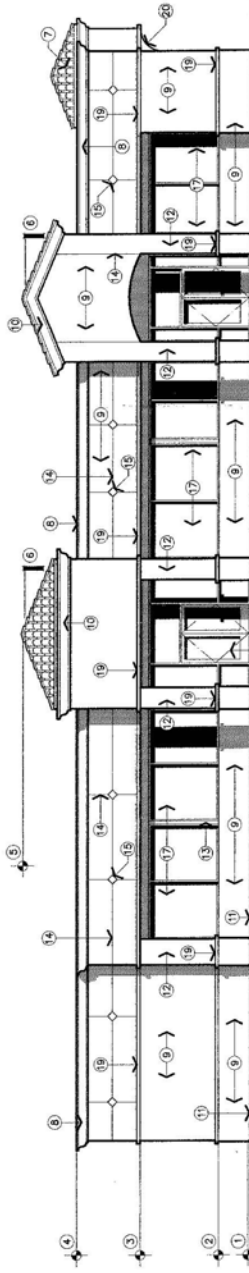
DESIGN REVIEW	DATE
CHECKED	
DATE	
APPROVED	
DATE	
PROJECT NAME	AVENUE 15 & HIGHWAY 41
PROJECT NUMBER	10000
DATE PREPARED	11.25.05
SCALE	



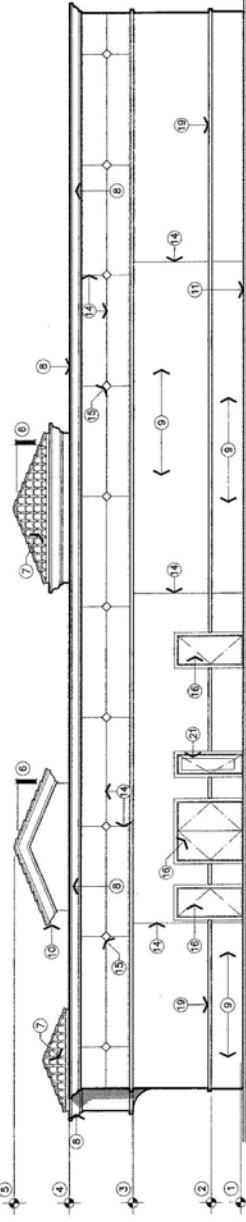
**SOUTH ELEVATION**



**NORTH ELEVATION**



**EAST ELEVATION**



**WEST ELEVATION**

**EXTERIOR  
ELEVATIONS** *3/8" = 1'-0"*

**KEYNOTES**

1. FINISH FLOOR ELEVATION: 0'-0"
2. FINISH OF GRADE: +1'-0"
3. TOP OF FINISH / FLOOR ELEVATION: +1'-0"
4. TOP OF ROOF ELEVATION: +22'-0"
5. FINISH ROOF PITCH: 8:13
6. MASONRY: MASONRY SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
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8. WALL: WALL SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
9. WINDOW: WINDOW SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
10. DOOR: DOOR SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
11. FINISH: FINISH SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
12. PAINT: PAINT SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
13. GLASS: GLASS SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
14. METAL: METAL SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
15. ROOF: ROOF SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
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17. WINDOW: WINDOW SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.
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19. FINISH: FINISH SHALL BE 12" CMU WITH 2" CORE WITH 2" SPACING. BRICK SHALL BE 8" X 8" WITH 2" CORE WITH 2" SPACING. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER. ALL MASONRY SHALL BE FINISHED WITH 1/2" THICK TYPE S I PLASTER.

**ELEVATION**

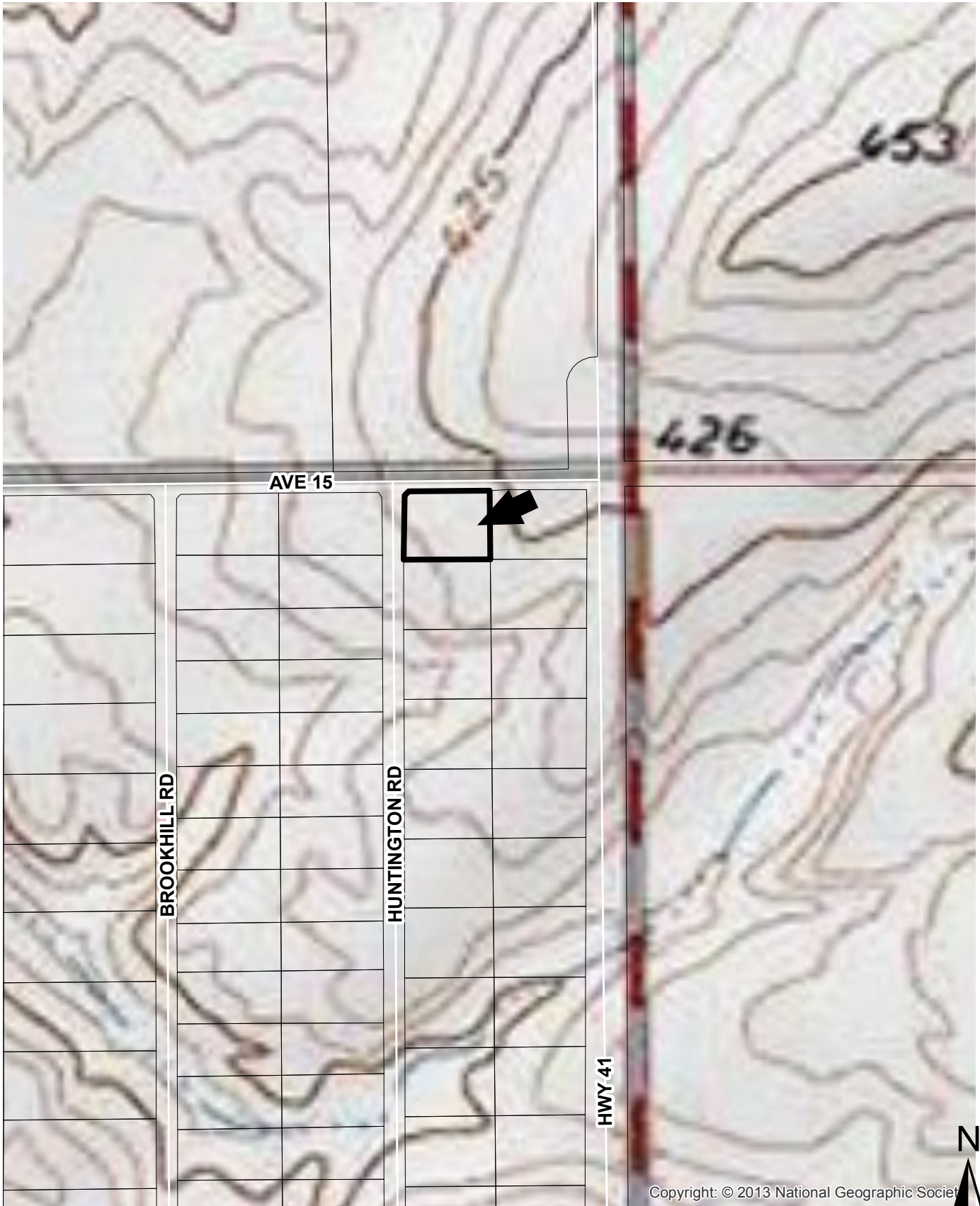




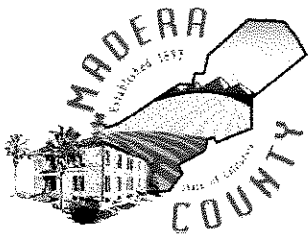
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



**AERIAL MAP**



TOPOGRAPHICAL MAP



Community and Economic Development  
Planning Division

Norman L. Allinder, AICP  
Director

**EXHIBIT G**

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

**OPERATIONAL/ENVIRONMENTAL STATEMENT**  
**CHECKLIST**

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

1. Please provide the following information:

Assessor's Parcel Number: 051-364-001

Applicant's Name: Daljit Singh

Address: 12186 North Via Piemonte, Clovis, California 93619

Phone Number: 559.940.2515

2. Describe the nature of your proposal/operation.

Construction of a 4,000 sf food mart, 1500 sf sandwich shop, and fuel islands (including diesel)

3. What is the existing use of the property?

Vacant

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?

Both stores will food products typical to their use / function

5. What are the proposed operational time limits?

Months (if seasonal): 12 months

Days per week: 7 days per week

Hours (from \_\_\_ to \_\_\_): Total Hours per day: 19 hours per day (5:000 am to 12 midnight)

6. How many customers or visitors are expected?

Average number per day: 190 customers per day

Maximum number per day: 285 customers per day

What hours will customers/visitors be there? varying volumes during the hours of operation

7. How many employees will there be?

Current: None

Future: Food Mart: 2 employees per shift; Sandwich Shop: 2 to 3 employees per shift

Hours they work: Both businesses will be staffed during their hours of operation

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.

Food and beverages consistent with each use.

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

Number: Varies from 2 to 5 deliveries per day

Type: Varies according to the type of product being delivered.

Frequency: Varies daily

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

28 open stalls (including 2 accessible), 14 fueling positions at fuel islands (provides 7 stalls at 50% allowed)

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

Main access will be from Avenue 15

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

150 cars per day; 10 trucks per day

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

y

Advertising will include a free standing pole sign along with signage on the building and canopy

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.

A single sotry wood framed building with stucco exterior finish, tile accent roofs and storefront windows will be constructed

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

A masonry fence will be constructed along Huntington to screen the houses. Landscaping will be provided on the permieter

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

North: Vacant East: Retail Center South: Residence with commercial uses West: Single Family Residences

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).

500 gallons supplied by an existing domestic water well

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

Waste water will be disposed of by a private septic system

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?

6 cubic yards or less

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

Grading will be required to provide drainage. No trees are present on the site.

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.

An existing storm water ponding basin is present on site.

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

None occur

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

None will be produced

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

Typical fire and police services (already serving adjacent development)

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

We do not expect any impacts

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

We do not expect any impacts

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s): Food Mart and Sandwich Shop

Square feet of building area(s): 4,000 SF Food Mart; 1,500 sf Sandwich Shop

Total number of employees: 5 per shift (maximum)

Building Heights: 25 feet maximum

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

N/A

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Community and Economic Development  
Environmental Health Division

Jill S. Yaeger  
Deputy Director

**EXHIBIT H**

- 200 W. 4<sup>th</sup> Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7823
- FAX (559) 675-7919
- [envhealth@madera-county.com](mailto:envhealth@madera-county.com)

**TO: Planning Department**  
**FROM: Environmental Health Department**  
**DATE: January 29, 2016**  
**RE: Project: #2015-007, Daljit Singh- Madera- APN 051-364-001**



The Environmental Health Division Comments:

The project shall be served by a community water system. Water services for any structure(s), within this development must be connected to an approved community water system and approved by Madera County Environmental Health Division and/or State Division of Drinking Water (DDW).

Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment and disposal as required by the California Plumbing Code Appendix H and Madera County Code Title 13 and 14. Wastewater dispersal shall either be accomplished by means of an approved advanced onsite wastewater treatment system or connection to a public/community sewer. If the project is located within 200 feet of a public sanitary sewer it shall connect to the sewer system [MCC 13.57.020].

Solid waste collection with sorting for green, recycle, and garbage is required.

Environmental Health Division food plan check will be required for review and approval.

Environmental Health Division underground storage tank plan check will be required for review and approval.

The facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code). As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: [www.cers.calepa.ca.gov](http://www.cers.calepa.ca.gov)

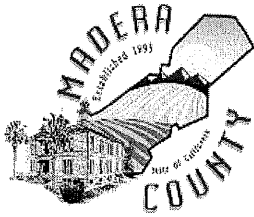
The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division. The 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, contact this Division at (559) 675-7823.

DM/dm





# 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

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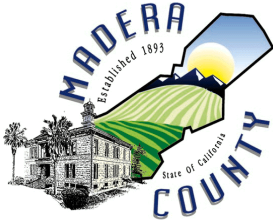
## **MEMORANDUM**

TO: Becky Beavers  
FROM: Deborah Keenan, Fire Marshal  
DATE: November 17, 2015  
RE: Singh, Daljit - Project - BdS - Madera (051-364-001-000)

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### **Conditions**

The proposed site configuration and fire suppression water storage appear to meet minimum standards. At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105)



**COUNTY OF MADERA**  
**PUBLIC WORKS DEPARTMENT**  
**AHMAD M. ALKHAYYAT**  
INTERIM DIRECTOR

200 West 4<sup>th</sup> Street  
Madera, CA 93637  
Main Line - (559) 675-7811  
Special Districts - (559) 675-7820  
Fairmead Landfill - (559) 665-1310

---

**MEMORANDUM**

**DATE** November 17, 2015

**TO** Becky Beavers, Planning Department

**FROM** Phu Duong, Public Works Department

**SUBJECT** PRJ#2015-007 and CUP#2015-011 / Singh / APN 051-364-001

The Public Works Department has reviewed the PRJ#2015-007 and CUP#2015-011 / Singh / APN 051-364-001 located at the southeast corner of Avenue 15 and Huntington Road intersection, approximately 350 feet west of State Route 41. The Department's conditions of approval are described as follow:

The subject property is not within, or adjacent to, a Maintenance District or Service Area administered by the Public Works Department.

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

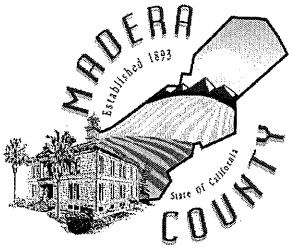
Avenue 15 is designated as an 80-ft wide arterial and Huntington Road is a minor roadway with a 60-ft wide of right-of-way. Both of these roads currently have adequate right of way widths along both sides of the proposed development. Therefore, no additional road dedication will be required.

The developer is to provide grading, drainage, erosion control, and if applicable, any street improvement plans for the proposed development to the Public Works Department for review and approval.

There is an existing drainage basin on site located between the two properties. The developer or his design engineer or staff is required to verify the basin to ensure it has the adequate capacity to hold the any storm runoff that might be collected into this basin. More detailed analysis and necessary storage calculations of the said basin will need to be provided with the grading improvement plan to Public Works Department for review and approval.

The developer/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. Applicant/Developer 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.

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.



**COUNTY OF MADERA  
DEPARTMENT OF PUBLIC WORKS**

**AHMAD M. ALKHAYYAT  
INTERIM DIRECTOR**

**EXHIBIT K**

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:** January 29, 2016  
**TO:** Becky Beavers  
**FROM:** Leopoldo Espino, Public Works  
**SUBJECT:** Singh, Daljit - Project - BdS - Madera (051-364-001-000)

**Comments**

November 11, 2015  
RE: PRJ #2015-007

Proposed project is required to submit a Grading and Drainage Plan prepared by a Licensed Civil Engineer. A Grading and Drainage Permit is required prior to commencing any site work.

A Drainage Report will be required to be submitted with Grading and Drainage Plans.

Grading and Drainage Plans must have the state issued Waste Discharger Identification (WDID) on the cover. The WDID is issued after submittal of a Stormwater Pollution Prevention Plan (SWPP) to the State of California.

Please call me if there is any questions.

Leopoldo Espino  
(559) 675-7811 x3106



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



RECEIVED

NOV 20 2015

MADERA COUNTY  
PLANNING DEPARTMENT

November 18, 2015

Becky Beavers  
Madera County Community and Economic Development, Planning Division  
200 West 4<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Madera, California 93637

**Subject: Early Consultation  
Planned Food Mart Grocery Store and Fuel Station (Project)  
Southwest of the Intersection of Avenue 15 and Highway 41  
Madera County**

Dear Ms. Beavers:

The California Department of Fish and Wildlife (Department) has received your agency's request for early consultation with regard to the above planned Project. Based upon information provided in the Project Review Request, the Department understands that the Project, if approved, would include development of Madera County parcel 051-364-01. Parcel 051-364-01 is an approximately 1-acre undeveloped parcel (Project Site) at the north boundary of the mixed use Bonadelle Ranchos No. 9 subdivision. While a portion of the Project Site appears to have compacted ground as a result of activities at a neighboring parcel, more than half remains in a relatively natural state and the property adjoining the Project Site beyond Avenue 15 (to the north) is non-native grasslands. It is unclear whether your agency plans to prepare an environmental document for the Project or considers it exempt from the California Environmental Quality Act (CEQA).

The Department is unable to provide substantive comments with regard to the Project due to the limited nature of the information provided in the Project Review Request. However, the Department has identified areas where significant impacts to biological resources could occur as a result of the planned development.

The Department is concerned with the potential for impacts to the California tiger salamander (*Ambystoma californiense*), a species listed as threatened pursuant to the federal Endangered Species Act (ESA) and California Endangered Species Act (CESA), and the State Species of Special Concern western spadefoot (*Spea hammondi*) and burrowing owl (*Athene cunicularia*), all of which are known to occur near the Project Site.

Becky Beavers

Madera County Community and Economic Development, Planning Division

November 18, 2015

Page 2

The Department recommends biological surveys be conducted by a qualified wildlife biologist during the appropriate survey period(s) in order to determine whether or not impacts to these species would be significantly impacted during Project implementation (development). The survey results are necessary to identify the mitigation, minimization, and avoidance measures needed to minimize the impacts from any ground-disturbing activities there. The Department recommends the analysis of these potential impacts to biological resources at the Project Site be conducted within the scope of a CEQA review for the Project.

In general, the Department believes that the aforementioned special status species, which are known to exist in the vicinity of the Project Site, may also exist at the Project Site. If any of the aforementioned species exist on the Project Site, full avoidance may not be feasible. The CEQA Guidelines §15300 state that in order for a project to be exempt from the provisions of CEQA, the project cannot have a significant effect on the environment. Further, the CEQA Guidelines also specify that projects which may have an impact on threatened or endangered species are not exempt from the provisions of CEQA; therefore, a Categorical Exemption would not be appropriate for this project. As to whether or not a negative declaration or Environmental Impact Report (EIR) would be appropriate for this Project, we recommend that biological surveys are completed prior to the completion of any CEQA analysis.

Our specific comments follow pertaining to compliance with CEQA and CESA.

### **Department Jurisdiction**

**Trustee Agency Authority:** The Department is a Trustee Agency with the responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment on environmental documents and impacts arising from project activities as those terms are used under CEQA.

**Responsible Agency Authority:** The Department has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the Project could result in the take of any species listed as threatened or endangered under California Endangered Species Act (CESA), the Department may need to issue an Incidental Take Permit (ITP) for the Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (sections 21001{c}, 21083, Guidelines sections 15380, 15064, 15065).

Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's Project approval and/or FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080. In other words, compliance with CESA does not automatically occur based on local agency project approvals or CEQA completion; consultation with the Department is warranted to ensure that Project implementation does not result in unauthorized take of a State-listed species.

**Bird Protection:** The Department has jurisdiction over actions which may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Sections of the Fish and Game Code that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

### **Project Recommendations**

**California Tiger Salamander (CTS):** CTS are known to occur on the natural grasslands north of the Project Site. Therefore, the Department strongly recommends potential Project-related impacts to CTS be evaluated prior to any ground-disturbing activities. The Department recommends these impacts be evaluated by a qualified biologist using the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (CDFG, 2003) which was issued by the Department and the United States Fish and Wildlife Service in 2003. The Department recommends the survey be conducted at and within 50 feet of all areas at the Project Site where ground-disturbing activities will occur.

If CTS are found at the Project Site, consultation with the Department is warranted to discuss the Project to determine if take of CTS is avoidable. If take cannot be avoided, acquisition of an ITP would be necessary prior to Project implementation to comply with CESA. In the absence of protocol surveys and a negative finding of presence, the applicant can assume presence of CTS at the Project Site and obtain an ITP from the Department. Included in the ITP would be measures required to avoid and/or minimize direct take of CTS on the Project Site, as well as measures to fully mitigate the impact of the take. The Department recommends mitigation measures for CTS be fully addressed in the CEQA document prepared for the Project.

**Burrowing Owl:** The burrowing owl is a State Species of Special Concern and like CTS, is known to occur on the natural grasslands in the vicinity of the Project Site. The Department recommends your agency require surveys be conducted prior to any

ground-disturbing activities, following the survey methodology developed by the California Burrowing Owl Consortium (CBOC, 1993). If any ground-disturbing activities will occur during the burrowing owl nesting season (approximately February 1 through August 31) and potential burrowing owl burrows are present within or near the ground-disturbing activities, implementation of avoidance measures are warranted. In the event that burrowing owls are found, the Department's *Staff Report on Burrowing Owl Mitigation* (CDFG, 2012) recommends that impacts to occupied burrows be avoided by implementation of a no-disturbance buffer zone in accordance with the following table, unless a qualified biologist approved by the Department verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

\* meters (m)

Failure to implement this buffer zone could cause adult burrowing owls to abandon the nest, cause eggs or young to be directly impacted (crushed), and/or result in reproductive failure in violation of Fish and Game Code and the Migratory Bird Treaty Act.

Further, if burrowing owls will be evicted, the Department recommends passive relocation during the nonbreeding season. The Department recommends the CEQA document developed for the Project describe all avoidance measures that will be employed in the event that owls are found on the Site, as well as methods that will be used to evict owls from burrows. The Department also recommends the CEQA document specify how the impact of evicting owls will be mitigated to a less than significant level. In addition, the Department's *Staff Report on Burrowing Owl Mitigation* recommends that foraging habitat be acquired and permanently protected to offset the loss of foraging and burrow habitat. Replacement of occupied burrows with artificial burrows as mitigation for the potentially significant impact of evicting a burrowing owl may also be warranted if suitable burrows are a limited resource in the Project area.

**Western Spadefoot:** Western spadefoot are known to occur on the natural lands in the vicinity of the Project Site. The Department recommends reconnaissance surveys be required in advance of any development to determine if any of the areas to be disturbed represent breeding or refugia habitat for the species. The Department recommends the surveys be done by qualified biologists familiar with the



Becky Beavers  
Madera County Community and Economic Development, Planning Division  
November 18, 2015  
Page 5

species during the appropriate survey period(s) and prior to implementation of ground-disturbing activities to determine if these species are present and if they could be impacted by the proposed Project. The Department also recommends the species be avoided whenever possible by delineation and observing appropriate no-disturbance buffer for the species.

If you have any questions regarding these issues, please contact Steve Hulbert, Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 289.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie A. Vance". The signature is fluid and cursive, with a large initial "J" and "V".

Julie A. Vance  
Regional Manager

### Literature Cited

CBOC, 1993. *Burrowing Owl Survey Protocol and Mitigation Guidelines*. California Burrowing Owl Consortium. [www.dfg.ca.gov/wildlife/nongame/docs/boconsortium.pdf](http://www.dfg.ca.gov/wildlife/nongame/docs/boconsortium.pdf)

CDFG, 2003. *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander*. [http://www.dfg.ca.gov/wildlife/nongame/t\\_e\\_spp/](http://www.dfg.ca.gov/wildlife/nongame/t_e_spp/)

CDFG, 2012. *Staff Report on Burrowing Owl Mitigation*. California Department of Fish and Game. [www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffRepo](http://www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffRepo)

## 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!*

November 17, 2015

06-MAD-41-06.288  
Gas Station with  
Food Mart and Sandwich Shop  
PRJ No. 2015-007

Ms. Becky Beavers  
Planning Department  
County of Madera  
200 W. 4<sup>th</sup> Street  
Madera, California 93637

Dear Ms. Beavers:

We have completed our review for the request to amend the General Plan designation from *Professional Office* to *Community Commercial* and a conditional use permit to allow a 4,000 square-foot food mart with adjacent 1,500 square-foot sandwich shop, six vehicle fueling pump positions, and two diesel fueling pump positions. The project is located on the southeast corner of Avenue 15 and Huntington Road. It is also approximately 320 feet west of the intersection of State Route (SR) 41 and Avenue 15 in the County of Madera. Caltrans has the following comments:

Based on the existing land use *Professional Office* and assuming a maximum lot coverage of 40% the land use may generate approximately 27 A.M. peak hour trips and 26 P.M. peak hour trips. The General Plan amendment to *Community Commercial* may generate approximately 87 A.M. peak hour trips and 110 P.M. peak hour trips. This translates to a net increase of 60 A.M. peak hour trips and 84 P.M. peak hour trips. This may have potential impacts to the intersection of SR 41 and Avenue 15. Previous traffic studies have identified improvements are needed at this location in the future.

In addition, a freeway corridor study for SR 41 between Children Boulevard and Road 208 is in the Project Approval & Environmental Document phase. A near-term improvement of a 4-lane expressway on SR 41 with an at-grade intersection at Avenue 15 will be constructed.

It is recommended that a limited traffic study be performed to include but not limited to a trip generation and trip distribution of the proposed project. Please have the preparer of the limited traffic study to contact our office of a scope of work. 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, appearing to read "M. Navarro".

MICHAEL NAVARRO, Chief  
Planning North Branch



Mr. Daljit Singh  
12186 North Via Piemonte  
Clovis, California 93619

December 30, 2015

Subject: Limited Traffic Analyses – Trip Generation and Distribution  
Proposed Gas Station and Food Mart  
Southeast of the Intersection of Avenue 15 and Huntington Road  
Madera County, California

Dear Mr. Singh:

This report presents limited analyses for the subject Project. The purpose of this analysis is to estimate the number of trips expected to be generated by the proposed Project and the distribution of those trips to the following intersections:

- Avenue 15 / State Route 41
- Avenue 15 / Huntington Road

The proposed gas station and food mart will be constructed on approximately 1.15 acres located southeast of the intersection of Avenue 15 and Huntington Road in Madera County, approximately 500 feet west of State Route 41. The Project consists of a gas station with a 4,000-square-foot food mart, a future 1,500-square-foot sandwich shop, and 15 fueling positions (including three diesel fueling positions). Site access is proposed at two driveways connecting to Avenue 15 and two driveways connecting to Huntington Road. One of the Huntington Road driveways is for the loading zone only. A vicinity map is presented in the attached Figure 1 and a site plan is presented in the attached Figure 2.

Data provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9<sup>th</sup> Edition*, are typically used to estimate the number of trips anticipated to be generated by proposed projects.

Data presented in the ITE *Trip Generation Handbook* dated June 2004 (TGH) suggest that captured-trip reductions are applicable to the proposed Project. Captured-trip reductions are applied to account for the interaction between the various individual land uses assumed for the trip generation calculations. A common example of a captured trip occurs in a multi-use development containing both offices and shops. Trips made by office workers to shops within the site are defined as internal to (i.e., “captured within”) the multi-use site. A more complete description of captured trips is presented in the TGH. An example of a captured trip for the Project is a motorist who buys gasoline and then also eats at the proposed restaurant.

Capture rates of 20 percent for the p.m. peak hour and 28 percent for daily volumes between retail uses were taken from Tables 7.1 and 7.2 of the TGH. Data are not presented in Tables 7.1 and 7.2 of the TGH for the a.m. peak hour.

Table 1 presents trip generation estimates for the Project.

**Table 1**  
**Project Trip Generation**

Land Use	Units	Weekday		A.M. Peak Hour				P.M. Peak Hour					
		Rate	Total	Rate	In:Out	In	Out	Total	Rate	In:Out	In	Out	Total
High-Turnover (Sit-Down) Restaurant (932)	1,500 sq. ft.	127.15	191	10.81	55:45	9	8	17	9.85	60:40	9	6	15
Gasoline/Service Station With Convenience Market (945)	15 Fuel Pos	162.78	2,442	10.16	50:50	77	76	153	13.51	50:50	102	101	203
Internal Capture	-	-	-53	-	-	-	-	-	-	-	-1	-1	-2
<b>TOTALS:</b>	-	-	<b>2,580</b>	-	-	<b>86</b>	<b>84</b>	<b>170</b>	-	-	<b>110</b>	<b>106</b>	<b>216</b>

Reference: *Trip Generation Manual, 9<sup>th</sup> Edition*, Institute of Transportation Engineers 2012

Rates are reported in trips per fueling position or per 1,000 square feet, as applicable

In:Out are percentages of the total.

The TGH presents information suggesting that pass-by reductions are applicable to the Project. The TGH states: “There are instances, however, when the total number of trips generated by a site is different from the amount of new traffic added to the street system by the generator. For example, retail-oriented developments such as shopping centers...are often located adjacent to busy streets in order to attract the motorists already on the street. These sites attract a portion of their trips from traffic passing the site... These retail trips may not add new traffic to the adjacent street system.” The TGH also states: “Pass-by trips are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. Pass-by trips are not diverted from another roadway.”

Data provided in Chapter 5 of the TGH and the proposed orientation of the Project suggest that pass-by trips will be generated by the proposed Project. Available data in the TGH indicate that an average of 43 percent of the weekday p.m. peak hour trips generated by High-Turnover (Sit-Down) Restaurant (Land Use 932) are pass-by trips. The TGH also indicates that an average of 62 percent of the weekday a.m. peak hour trips and 56 percent of the weekday p.m. peak hour trips generated by Gasoline/Service Station with Convenience Market (Land Use 945) are pass-by trips. Therefore, these pass-by reductions have been applied to the Project trips. The least of the peak hour pass-by percentages has also been applied to the daily volumes for purposes of estimating actual new daily trips on the adjacent roadways.

Table 2 presents the volume of new primary Project trips expected to be generated by the Project.

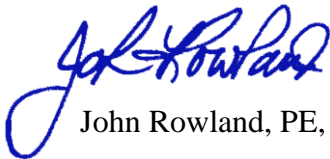
**Table 2**  
**Pass-By Trips and Primary Project Trips**

Time Period	Trips Entering Site	Trips Exiting Site	Total Trips
Daily Pass-By Trips	-713	-713	-1,426
Daily Primary Trips	577	577	1,154
Weekday A.M. Peak Hour Pass-By Trips	-47	-47	-94
Weekday A.M. Peak Hour Primary Trips	39	37	76
Weekday P.M. Peak Hour Pass-By Trips	-60	-58	-118
Weekday P.M. Peak Hour Primary Trips	50	48	98

The estimated peak-hour primary Project traffic volumes at the study intersections are presented in the attached Figure 3.

Thank you for the opportunity to perform these analyses. Please feel free to contact our office if you have any questions.

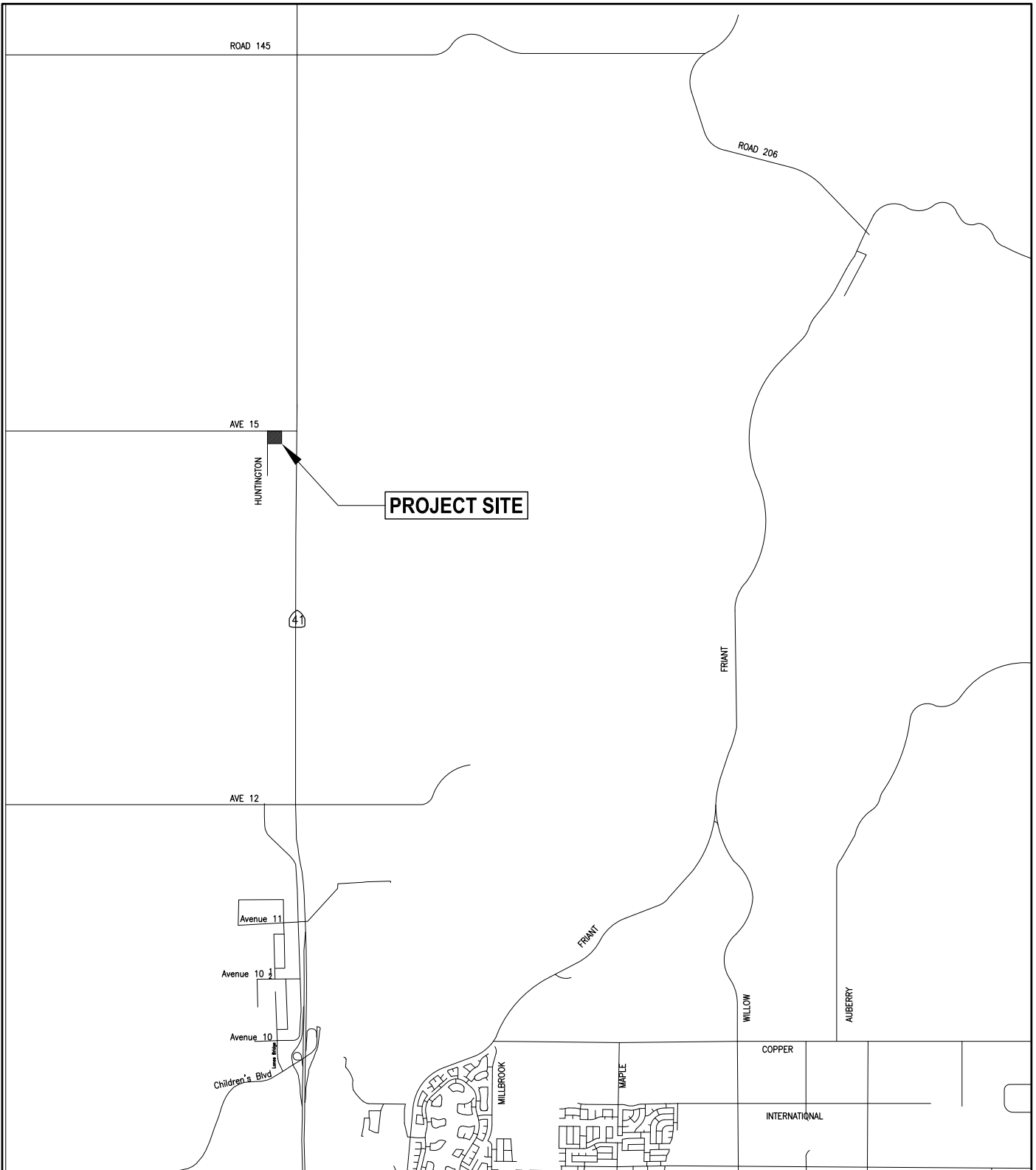
**PETERS ENGINEERING GROUP**



John Rowland, PE, TE



Attachments: Figures 1 through 3



**SITE VICINITY MAP**

Proposed Gas Station and Food Mart  
 Madera County, California



**PETERS ENGINEERING GROUP**

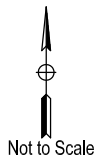
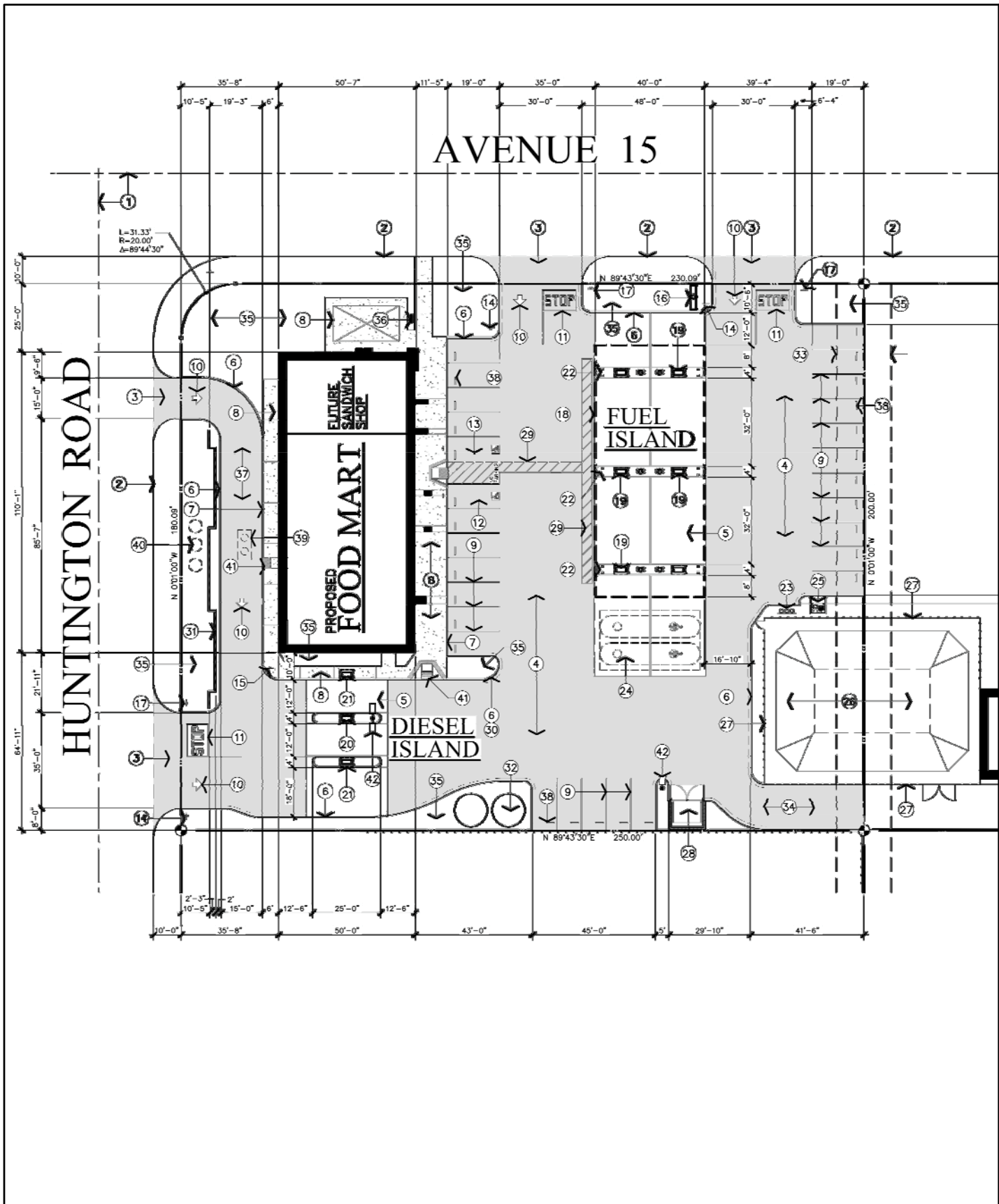


Figure 1



SITE PLAN

Proposed Gas Station and Food Mart  
 Madera County, California



PETERS ENGINEERING GROUP

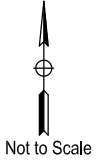
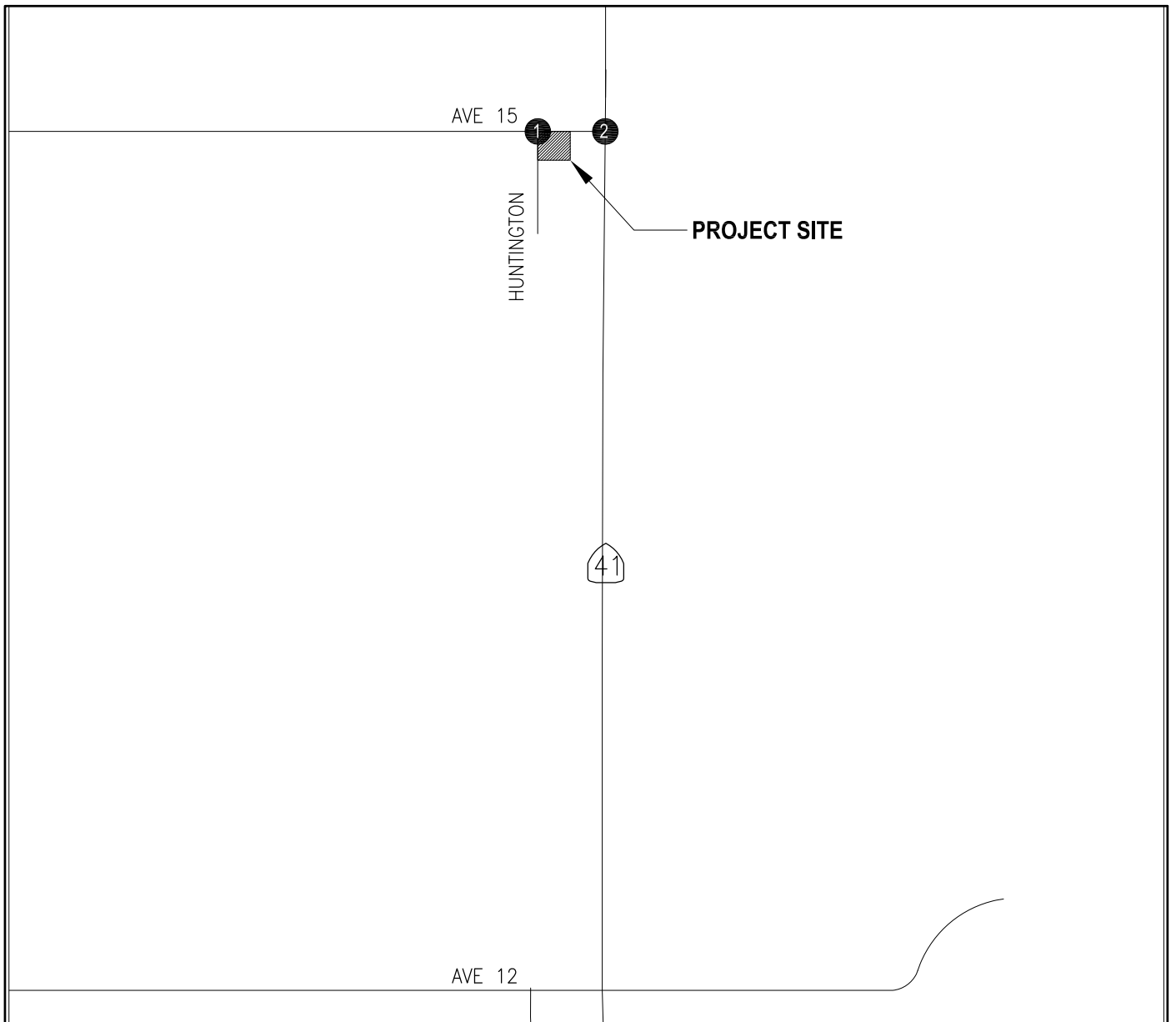


Figure 2





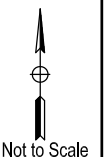
	← 4(2) ← 2(2)	↙ 22(12)	
4(3) → 3(2) ↓	↘ 3(2) ↘ 2(2)	9(32) → 21(11) ↓	↘ 9(33)
<b>1</b> Avenue 15 / Huntington Rd		<b>2</b> Avenue 15 / SR-41	

**LEGEND**

- XX STUDY AREA INTERSECTION
- XX (YY) AM (PM) VOLUMES

**PEAK HOUR PRIMARY PROJECT TRAFFIC VOLUMES**

Proposed Gas Station and Food Mart  
Madera County, California



## 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 29, 2016

06-MAD-33-59.401  
 Gas Station and Foodmart  
 PRJ # 2015-007

Ms. Becky Beavers  
 Development Services Division  
 Madera County Planning Department  
 200 West 4<sup>th</sup> Street  
 Madera, CA 93637

Dear Ms. Beavers:

We have completed our review of the limited traffic analysis dated December 30, 2015 prepared by Peters Engineering Group. The purpose of the analysis is to estimate the number of trips expected to be generated by the proposed Project. Caltrans has the following comments:

The Tesoro Viejo Project's Environmental Impact Report has determined a future improvement need for the intersection of SR 41 at Avenue 15. A cost estimate has not been determine at this time.

In reviewing Figure 3 of the limited traffic analysis, the estimated number of trips expected at the intersection of SR 41/Avenue 15 is 61 A.M. peak hour trips and 88 P.M. peak hour trips. The P.M. peak hour will be used to determine the fair share percentage in order to be consistent with other projects in the area.

Caltrans used the existing and future traffic data from the Tesoro Viejo Traffic Impact Study for the intersection of SR 41 and Avenue 15 to calculate the fair share percentage. Caltrans method for establishing the project proponent's fair responsibility for a project's impacts is provided in Appendix "B" of *Guide for the Preparation of Traffic Impact Studies* as follows:

$$P = \frac{T}{T_B - T_E} \text{ or } \frac{88}{2,700 - 1,530} = 0.075$$

Where:

P = Project's equitable share responsibility.

T = Project Traffic

T<sub>B</sub> = Future traffic

T<sub>E</sub> = Existing traffic

Therefore, the project's fair share is 7.5%. The mitigation amount will be calculated at a later date. Caltrans has established a Traffic Mitigation Agreement (TMA) for the collection and tracking of these funds. The TMA needs to be executed prior to issuance of County building permits and payment of the fair share mitigation amount needs to occur prior to occupancy.

*"Provide a safe, sustainable, integrated and efficient transportation system  
 to enhance California's economy and livability"*

Ms. Becky Beavers  
January 29, 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, appearing to read 'M. Navarro', with a stylized flourish at the end.

MICHAEL NAVARRO, Chief  
Planning North Branch

# INITIAL STUDY

---

**Title of Proposal:** Singh, Daljit – General Plan Amendment and Conditional Use Permit - Madera (051-364-001-000)

**Date Checklist Submitted:** 2/3/2016

**Agency Requiring Checklist:** Madera County Planning Department

**Agency Contact:** Becky Beavers

**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 applicant is proposing to amend the General Plan from PO (Profession Office) to CC (Community Commercial) Designation. A Conditional Use Permit is also being requested to allow a 4,000 square foot food mart with adjacent 1,500 square foot sandwich shop and fuel islands for cars and diesel vehicles.

## **Project Location:**

The project is located on the southeast corner of the intersection of Avenue 15 and Huntington Road (no situs), Madera

## **Applicant Name and Address:**

Singh, Daljit  
12186 N. Via Piemonte  
Clovis, CA 93619

## **General Plan Designation:**

AE (Agricultural, Exclusive)

## **O'Neals Area Plan:**

RCA (Rural Commercial Area)

## **Zoning Designation:**

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

## **Surrounding Land Uses and Setting:**

To the north the property is vacant. There is a retail center to the east, residential with commercial uses to the south and single family dwellings to the west. The project site is 1.15 acres located approximately 275 feet west of Highway 41 on Avenue 15, Madera. The area has gently rolling hills with approximately 425 foot elevation. Soils are of the Whitney-San Joaquin series. Drainage is good, surface runoff is slow, internal drainage is moderate, erosion hazard is slight. Best suited use is dry farming, grain and range. Would be suitable for pasture, cotton or alfalfa.

**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:

Completed by the Lead Agency: Madera County Planning Department

---

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and 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

*Becky Deavers*

2/3/2016

Date

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

<b>CATEGORY</b>	<b>ANALYSIS SUMMARY</b> (See individual pages for details)				
	<i>Potentially Significant Impact</i>				
	<i>Less than Significant Impact with Project Mitigation</i>				
	<i>Less than Significant Impact</i>				
	<i>No Impact</i>				
					<i>Comments</i>
1. AESTHETICS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Lighting and Glare</i>
2. AGRICULTURE/FORESTRY RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. AIR QUALITY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. BIOLOGICAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. CULTURAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. GEOLOGY/SOILS/SEISMICITY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. GREENHOUSE GAS EMISSIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. HAZARDS/HAZARDOUS MATERIALS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. HYDROLOGY/WATER QUALITY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. LAND USE/LAND USE PLANNING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. MINERAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. NOISE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. POPULATION/HOUSING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. PUBLIC SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. RECREATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. TRANSPORTATION/TRAFFIC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. UTILITIES/SERVICE SYSTEMS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
18. MANDATORY FINDINGS OF SIGNIFICANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

# 1. Aesthetics

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Discussion:

### (a-c) No Impact

The project is consistent with surrounding land uses in the area. There is an existing service station on the parcel to the east and a mixture of residential and commercial uses to the east. A masonry fence and landscaping along Huntington to screen the proposed facility from residentially developed parcels. There are no designated scenic highways within the immediate vicinity of the project.

### (d) Less than Significant Impact with Mitigation Incorporated

The area already allows commercial development on the parcels to the east of the proposed project site. The general plan amendment would be expanding this area. The development requires a conditional use permit and is subject to specific mitigation measures on a project by project basis. Any lighting for the projects will be directed away from adjacent properties as to not create any sort of impact.

## Mitigation Measures:

1. Any proposed lighting shall be hooded and directed away from surrounding properties and roadways.

## 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.

## 2. Agriculture and Forest Resources

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

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

### Discussion:

#### (a) No Impact

The property is designated Urban and Built-up Land within the Farmland Mapping and Monitoring Program. Project site soils are designated "Urban and Developed Land" on the 2014 Madera County Important Farm Land Map prepared by the California Department of Conservation. The project site is 1.15 acres located approximately 275 feet west of Highway 41 on Avenue 15, Madera. The area has gently rolling hills with approximately 425 foot elevation. Soils are of the Whitney-San Joaquin series. Drainage is good, surface runoff is slow, internal drainage is moderate, erosion hazard is slight. Best suited use is dry farming, grain and range. Would be suitable for pasture, cotton or alfalfa. The subject parcel is within the Bonadelle Ranchos Subdivision No. 9 that was recorded in 1964. The parcel is designated Professional Office in the General Plan and is zoned Commercial Rural Median. The project proposes to use the site for gas station and food court.

#### (b) No Impact

The project is not subject to the Williamson Act. The proposed project is not significantly displacing the existing agricultural operation.

#### (c-e) No Impact

No impacts have been identified as a result of this project.

### 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) produces 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 land 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.

### 3. AIR QUALITY

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

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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-e) Less than Significant Impact**

*This project has the potential of contributing to the air quality impact. There will be no increase, however, there will be cumulative to some degree. The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District standards. The project is subject to the requirements for District Rule 9510 for Indirect Source Emissions. The SJVAPCD has attainment plans in place that identify strategies to bring regional emissions into compliance with federal and state air quality standards. The proposed gas station, food mart and sandwich shop would be an extension of the existing commercial development on the parcel to the east of the subject parcel. To ensure the proposed project complies with applicable SJVAPCD rules and regulations, mitigation measures would be required.*

*Mitigation Measure:*

1. Comply with all requirements as set forth by the San Joaquin Valley Air Pollution Control District.

*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.

## 4. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Discussion:*

**(a) Less than Significant Impact**

While the list below indicates that there are species of concern, given that the area has been developed since 1964, the chances of any of the listed species being present are less than likely. There is still the potential of the species existing in the quadrangle, but since this parcel has many buildings and is an active facility, most habitats may not exist. Comments were received from Fish and Wildlife outlining their concerns. They stated that they did not have enough information to assess this project, therefore, they recommended a biological survey. This parcel is within the Bonedelle Subdivision and is currently used for the residence to drive across for access to the neighboring convenience store. One quarter of the parcel is paved. The weeds are plowed down every year and there are no water sources on this property except the drainage basin.



**(b-f) No Impact**

The project does not contain any natural riparian habitat or designated wetlands. In addition, it is not redirecting, obstructing or change in a wildlife corridor for native resident species. This parcel was developed in 1964 and is one of the few vacant lots in the subdivision.

*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 Game Listing	CNPS Listing
California tiger salamander	Threatened	Threatened	SSC	
western spadefoot	None	None	SSC	
Swainson's hawk	None	Threatened	-	
osprey	None	None	WL	
California horned lark	None	None	WL	
great egret	None	None	-	
great blue heron	None	None	-	
western yellow-billed cuckoo	Threatened	Endangered	-	
yellow-headed blackbird	None	None	SSC	
burrowing owl	None	None	SSC	
vernal pool fairy shrimp	Threatened	None	-	
California linderiella	None	None	-	
hardhead	None	None	SSC	
valley elderberry longhorn beetle	Threatened	None	-	
molestan blister beetle	None	None	-	
San Joaquin Pocket Mouse	None	None	-	
American badger	None	None	SSC	
Great Valley Mixed Riparian Forest	None	None	-	
Northern Claypan Vernal Pool	None	None	-	
Northern Hardpan Vernal Pool	None	None	-	
spiny-sepaled button-celery	None	None	-	1B.2
succulent owl's-clover	Threatened	Endangered	-	1B.2
San Joaquin Valley Orcutt grass	Threatened	Endangered	-	1B.1
hairy Orcutt grass	Threatened	Endangered	-	1B.1

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

#### **Ranking**

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

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

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

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk's Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to [http://www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html).

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

## 5. 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 interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### *Discussion:*

#### **(a-d) Less than Significant Impact**

*The subdivision infrastructure was put in place in 1964. The lots on three sides of the project site are developed with a number of buildings and pavement. The chances of any undiscovered cultural resources being found at this point are less than likely.*

### *General Information:*

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.

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).

## 6. Geology and Soils

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

### *Discussion:*

#### **(a-i-iii) Less than Significant Impact**

*Foothill and Sierra Nevada regions of California are areas that are crossed by very few faults. There is an unnamed fault line that crosses through the southeastern portion of the County and is a part of the Hartley Springs Fault Zone. As such, the chances of rupture of faults in the vicinity are less than likely. Chances are better in feeling shock waves from faultlines that rupture, depending on their magnitude.*

#### **(a-iv) No Impact**

*Topographically, the area consists of rolling hills. However, in 1964, when the subdivision was developed it was graded and is now flat. Many structures currently exist, and although grading had occurred, landslides are very unlikely.*

#### **(b) No Impact**

*No structures exist on the subject parcel, however, there is an existing ponding basin onsite, therefore, all runoff will be directed to the ponding basing and will remain onsite.*

#### **(c) No Impact**

*The project site is 1.15 acres located approximately 275 feet west of Highway 41 on Avenue 15, Madera. The area has gently rolling hills with approximately 425 foot elevation. Soils are of the Whitney-San Joaquin series. Drainage is good, surface runoff is slow, internal drainage is moderate, erosion hazard is slight.*

*There are no impacts identified.*

#### **(d) No Impact**

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*There are no impacts identified.*

**(e) No Impact**

*There are no impacts identified.*

***General Information:***

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

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

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

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep.

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

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

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

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

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

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

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

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shak-

ing. 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.

## 7. Greenhouse Gas Emissions

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

### *Discussion:*

#### **(a) No Impact**

*No impacts are identified as a result of this project. The operational statement indicates that they currently have approximately 150 cars and 10 trucks per day and 4 to 5 employees. The site plan shows a 4,000 sq. ft. convenience store and a 1,500 square foot sandwich shop and fueling islands. The Institute of Traffic Engineers indicates that the generation rate for a gas station with convenience store is 13.51 per 1,000 square feet, or 54.04 trips per day. The generation rate for a fast food without drive-through is 26.15 per 1,000 square feet, or 39.23 trips per day for a total of 93.27 trips per day. However, all land uses in this category of less than 50,000 sq. ft are entitled to a "passby" trip reduction of 60%, therefore resulting in a generation rate of 37.31 peak PM trips.*

#### **(b) No Impact**

*No impacts are identified as a result of this project.*

### *General Information:*

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

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

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



## 8. Hazards and Hazardous Materials

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

### *Discussion:*

#### **(a) Less than Significant Impact with Mitigation Incorporated**

*There will not be any hazardous materials onsite. The project is for a general plan amendment and conditional use permit to allow a gas station with convenience store and sandwich shop. There will be no car repairs. But to assure safety due to the storage of fuel in underground tanks, the facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code).*

#### **(b) No Impact**

*No impacts are identified. As mentioned above, no materials onsite, and thus will not constitute a hazard to surrounding properties.*

#### **(c) No Impact**

*No hazardous materials are expected to be used on site during normal operations. The facility is not within 1/4 mile of a school.*

**(d) No Impact**

No impacts are identified. There are no sites in the immediate vicinity that qualify as a site having had hazardous materials on site, or listed as such.

**(e) No Impact**

The project site is not within an Airport/Airspace Overlay District nor within proximity to any known airports and air-strips. No impacts are identified.

**(f) No Impact**

The project site is not within an Airport/Airspace Overlay District nor within proximity to any known airports and air-strips. No impacts are identified.

**(g) No Impact**

No impacts are identified as a result of this project.

**(h) No Impact**

The area is not located in a wildfire risk area. However, equipment used during construction could create sparks and cause fires in the agricultural areas that surround the project site.

Normal operations will not pose significant risk of fire.

**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>

## 9. Hydrology and Water Quality

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

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

*Discussion:*

**(a) No Impact**

*To assure water quality, the project shall be served by a community water system. Any installation of facilities such as septic tanks would require permits and need to be properly setback from wells to prevent contamination. However, the development of this project should not substantially contribute to ground water contamination.*

**(b) Less than Significant Impact**

*The project will be required to develop a community water system to be privately maintained by the property owners. That system would be required to complete stringent testing in order to ensure that groundwater meets current standards. In addition, the proposed uses would use less water than surrounding agricultural uses and therefore should not contribute to overdraft for the area but actually allow for recharge.*

**(c-j) No Impact**

*It is not anticipated that the proposed project would create any need to mitigate for additional degradation of water quality. The residential nature of the project does not typically have any sort of storage of materials which could cause water quality issues like an industrial or heavy commercial project would.*

*The site is not near any creeks or streams or bodies of water in which runoff could have an impact to water quality. With best management practices during business operations in place, this impact will be insignificant.*

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

**Mitigation Measure:**

- 1. The project shall be served by a community water system. Water services for any structure(s), within this development must be connected to an approved community water system and approved by Madera County Environmental Health Division and/or State Division of Drinking Water (DDW).*
- 2. Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment and disposal as required by the California Plumbing Code Appendix H and Madera County Code Title 13 and 14. The project shall be served by a community sewer system when sewer connection is located within 200 feet of a public sanitary sewer.*

*Wastewater dispersal shall either be accomplished by means of an approved advanced onsite wastewater treatment system or connection to a public/community sewer.*

**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.

**10. Land Use and Planning**

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

**Discussion:**

**(a) No Impact**

*This project as designed will not divide any established communities within the County or be an impact on habitat conservation plans.*

**(b) No Impact**

*No known impacts exist.*

*The zone district for this parcel is commercial, and allows for a gas station with a Conditional Use Permit. The purpose of the Conditional Use Permit is to allow for a use that may typically be found in the zoning.*

**(c) No Impact**

*No known impacts exist.*

## 11. 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) No Impact**

*The project site does not have any known mineral resources and has not been identified a locally important recovery site by any plan.*

#### **(b) No Impact**

*No resource recovery sites are in the vicinity of this project. No impacts identified as a result of this project.*

## 12. Noise

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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## Discussion:

### (a-d) Less than Significant Impact

There will be new construction; therefore, during the construction phase of the project, groundborne vibrations are anticipated. The area which this activity is occurring is largely agricultural in nature, thus will be less than significant in impacts.

Operations of this facility are not expected to increase noise levels substantially. It is acknowledged that traffic in and out of the facilities parking lot will generate minimal noise levels during ingress and egress.

Ambient noise levels are not expected to increase.

### (e-f) No Impact

This project is not within proximity to an airstrip or airport or an airport/airspace overlay district.

## General Discussion:

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

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

### Short Term Noise

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

### Long Term Noise

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

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

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

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

Agricultural	AM	60	60	60	65	60
	PM	55	55	55	60	55

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

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

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

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

Source: Whiffen and Leonard 1971

## 13. Population and Housing

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

### Discussion:

#### (a) No Impact

The project as mitigated would not result in substantial population growth, and would not displace existing housing or people.

**(b) No Impact**

No impacts are identified as a result of this project. No homes will be displaced as a result of this project.

**(c) No Impact**

No impacts are identified as a result of this project. No one will be displaced as a result of this project.

*General Information:*

According to the California Department of Finance, in January of 2012, the County wide population was 152,074 with a total of 49,334 housing units. This works out to an average of 3.33 persons per housing unit. The vacancy rate was 11.84%.

## 14. Public Services

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

The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sheriff's Department. The proposed project will have no impact on local parks and will not create demand for additional parks. Development fees include capital facilities fees which contribute to police and fire services.

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.

Crime and emergency response is provided by the Madera County Sheriff's Department. There will be an incidental need for law enforcement in the event of theft or vandalism on the project site.

**(a-iii) No Impact**

The project is within the Golden Valley School District. The development of commercial buildings would be required to pay School District Impact Fees in order to offset potential impacts of the development.

**(a-iv) No Impact**

The project is not subject to the Quimby Act fee that was established for development of park facilities within Madera County. That fee is dependent on the number of units which can be built by the project and would be required to be paid prior to final



recording of a map. The project is not zoned for residential and therefore is not subject to the fee.

**(a-v) No Impact**

No impacts are identified as a result of this project.

**General Information:**

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

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.

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

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

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

**15. Recreation**

Would the project:		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) No Impact**

No impact identified as a result of this project. The proposed development would not be subject to the Quimby Act fees, as previously mentioned, due to the project not being zoned residential.

**(b) No Impact**

No impact are identified as a result of this project. See above.

**General Information:**

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

## 16. Transportation/Traffic

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

### *Discussion:*

#### **(a) Less than Significant Impact with Mitigation Incorporated**

The proposed project is located on the southeast corner of the intersection of Avenue 15 and Huntington Road (no situs), Madera approximately 275 feet south of Highway 41. The proposed project will have access onto Avenue 15 which is designed as an 80' Arterial (General Plan Document). There are no public transportation facilities or routes in the area. Thus, the area is almost totally dependent on private automobile and truck access. There are no rail or airport facilities in the area.

#### **(b) Less than Significant Impact with Mitigation Incorporated**

The project will have a maximum of 285 visitors per day. No impacts identified as a result of this project. The operational statement indicates that they currently have approximately 150 cars and 10 trucks per day and 4 to 5 employees. The site plan shows a 4,000 sq. ft. convenience store and a 1,500 square foot sandwich shop and fueling islands. CalTrans requested a limited traffic analysis to estimate the number of trips expected to be generated by the proposed projects. In reviewing the traffic analysis, the estimated number of trips expected at the intersection of SR41/Avenue 15 is 61 A.M. peak hour trips and 88 P.M. peak hour trips. This project will be required to pay their fair share of responsibility for impacts to Highway 41. The mitigation percentage will be 7.5%, the amount will be calculated at a later date. The applicant will be required to enter into an agreement with CalTrans for the collection and tracking of these funds.

#### **(c) No Impact**

The site is not located in the vicinity of an airport or airstrip, nor is it in an Airport/Airspace Overlay District. No impacts anticipated as a result of this project. The project is not large enough to significantly affect air traffic patterns of the area. In addition, there are no alternative transportation plans or policies in the area which would be affected. Emergency access will be enhanced by the project through the development of standards required by the Madera County Road Department.

**(d) No Impact**

No impacts are anticipated as a result of this project.

**(e) No Impact**

No impacts are anticipated as a result of this project.

**(f) No Impact**

No impacts are anticipated as a result of this project.

**Mitigation Measures:**

1. The applicant will be required to pay the project’s fair share of impacts to Highway 41 which has been calculated at 7.5%. The mitigation amount will be calculated at a later date. Comply with Caltrans conditions.
2. The applicant shall enter into an agreement with CalTrans for the collection and tracking of the mitigation fees prior to building permit approval.

**General Information:**

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

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

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

Unsignalized intersections.

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

Signalized intersections.

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

E	2,000	1,145	1,800	1,200	750	500
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Capacity per hour per lane for various highway facilities

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

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

Source: MCTC 2007 RTP

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

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

## 17. Utilities and Service Systems

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Discussion:*

**(a) No Impact**

*Facilities are not being built that would require any permitting through the Regional Water Quality Control Board. A community system is being proposed to be used for the project and would be reviewed for applicable standards by the Environmental Health Department.*

**(b) Less than Significant Impact**

*Approximately 5,000 will be used per day from an on-site well. The facility will be using an existing well onsite. The proposed project will have a septic tank and will need to meet specific standards as regulated by the Environmental Health Department. In addition, the drainage which exists on the properties will be constructed in a fashion not to contaminate or interfere with septic or water facilities.*

**(c) Less than Significant Impact**

*There is a ponding basin onsite. All drainage or runoff will be directed to the ponding basin for recapture.*

**(d) Less than Significant Impact**

*The facility will be using the existing well. The project will be required to develop a community water system to be privately maintained by the property owners. That system would be required to complete stringent testing in order to ensure that groundwater meets current standards.*

**(e-g) No Impact**

*There is not a wastewater treatment provider in the area which will be impacted by the proposed project. The Fairmead Landfill was recently expanded to allow for a higher capacity of solid waste and could therefore serve this project. Waste disposal would be required for each commercial business.*

*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

## 18. Mandatory Findings of Significance

Would the project:		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 checked="" type="checkbox"/>	<input 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:*

#### **(a-c) No Impact**

*The project, as proposed, does have some impacts which will need to be mitigated in order to limit the effect on humans, historical and cultural resources, habitat and resources. Mitigation measures listed above do mitigate the potential impacts to a less than significant level. The size of the project is not significant enough to have an impact by itself, thus, the mitigation measures can offset what impacts are created.*

### *General Information:*

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.

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

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm) accessed October 31, 2008

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

Madera County Integrated Regional Water Management Plan.

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

O'Neals Area Plan

# MITIGATED NEGATIVE DECLARATION

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MND 2016-03

**RE:** Singh, Daljit – General Plan Amendment and Conditional Use Permit - Madera (051-364-001-000)

***Location and Description of Project:***

The applicant is proposing to amend the General Plan from PO (Profession Office) to CC (Community Commercial) Designation. A Conditional Use Permit is also being requested to allow a 4,000 square foot food mart with adjacent 1,500 square foot sandwich shop and fuel islands for cars and diesel vehicles. The project is located on the southeast corner of the intersection of Avenue 15 and Huntington Road (no situs), Madera

***Environmental Impact:***

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

***Basis for Negative Declaration:***

SEE ATTACHED



\_\_\_\_\_  
Madera County Environmental Committee

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

**DATED:** February 3, 2016

**FILED:**

**PROJECT APPROVED:**



## MITIGATION MONITORING REPORT

MND # 2016-03

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
<b>Aesthetics</b>								
	Any proposed lighting shall be hooded and directed away from surrounding properties and roadways							
<b>Agricultural Resources</b>								
<b>Air Quality</b>								
	Comply with all requirements as set forth by the San Joaquin Valley Air Pollution Control District.							
<b>Biological Resources</b>								
<b>Cultural Resources</b>								
<b>Geology and Soils</b>								
<b>Hazards and Hazardous Materials</b>								
	The facility will be regulated under the Hazardous Material Business Plan (Article I, Chapter 6.95, of the California Health & Safety Code). As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: <a href="http://www.cers.calepa.ca.gov">www.cers.calepa.ca.gov</a>							
<b>Hydrology and Water Quality</b>								
	The project shall be served by a community water system. Water services for any structure(s), within this development must be connected to an approved community water system and approved by Madera County Environmental Health Division and/or State Division of Drinking Water (DDW).							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment and disposal as required by the California Plumbing Code Appendix H and Madera County Code Title 13 and 14. The project shall be served by a community sewer system when sewer connection is located within 200 feet of a public sanitary sewer. Wastewater dispersal shall either be accomplished by means of an approved advanced onsite wastewater treatment system or connection to a public/community sewer.							
<b>Land Use and Planning</b>								
<b>Mineral Resources</b>								
<b>Noise</b>								
	Landscaping and the minimum of a 6 foot block wall fence shall be provided along all property lines abutting residentially-zoned or developed properties.							
<b>Population and Housing</b>								
<b>Public Services</b>								
<b>Recreation</b>								
<b>Transportation and Traffic</b>								
	The applicant will be required to pay the project's fair share of impacts to Highway 41 which has been calculated at 7.5%. The mitigation amount will be calculated at a later date. Comply with Caltrans conditions.							
	The applicant shall enter into an agreement with CalTrans for the collection and tracking of the mitigation fees prior to building permit approval.							
<b>Utilities and Service Systems</b>								