



Community and Economic Development Planning Division

Matthew Treber
Director of Community and Economic Development

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PLANNING COMMISSION DATE: August 2, 2016

AGENDA ITEM: #2

CUP	#2016-013	Conditional Use Permit to Recognize Existing Church Buildings and a Charter School and Allow Expansion
APN	#038-100-010, #038-100-009	Applicant: Roger Leach Owner: Valley West Christian Center
CEQA	MND #2016-17	Mitigated Negative Declaration

REQUEST:

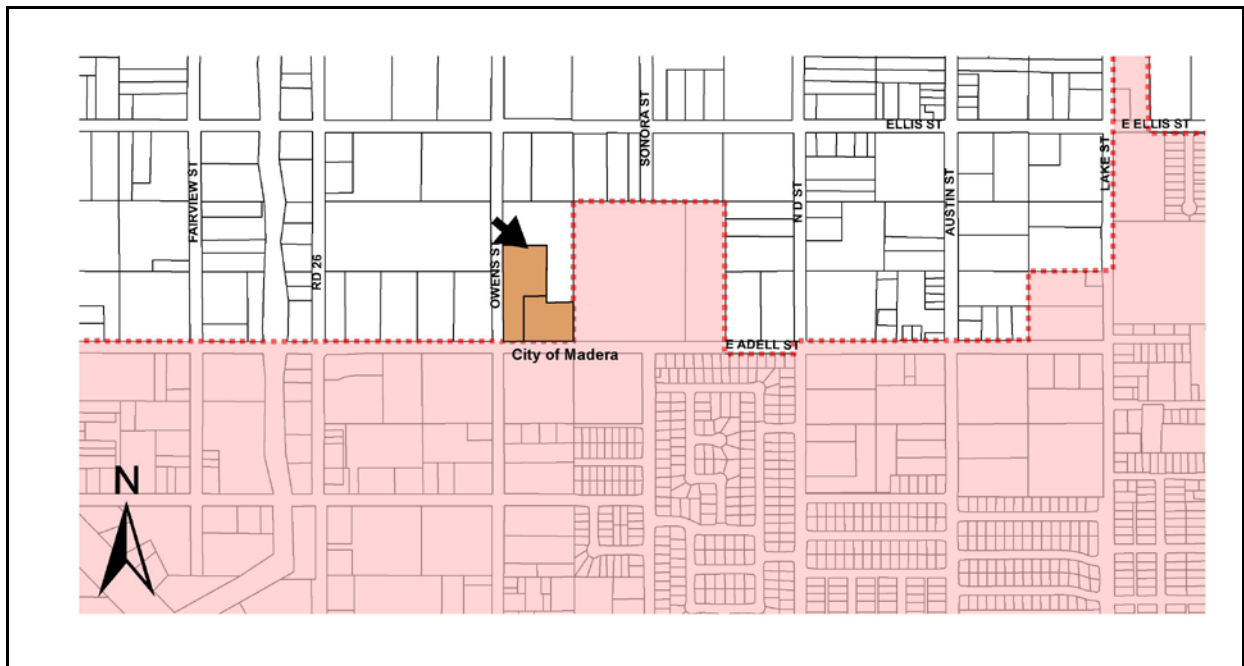
The applicant is requesting a Conditional Use Permit to recognize existing church buildings and a charter school and allow expansion of the facility.

LOCATION:

The property is located on the northeast corner of the intersection of Owens Street and West Adell Street (101 West Adell Street), Madera.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2016-17) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Staff is recommending approval of the Conditional Use Permit (CUP 2016-013) and Mitigated Negative Declaration (MND 2016-17) subject to conditions and the mitigation monitoring program.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: LDR (Low, Density, Residential) Designation

SURROUNDING: LDR (Low, Density, Residential) Designation, CC (Community Commercial) Designation and the City of Madera

ZONING (Exhibit B):

SITE: AR-5 (Agricultural, Rural – 5 Acre) District

SURROUNDING: AR-5 (Agricultural, Rural – 5 Acre) District and the City of Madera

LAND USE:

SITE: Church buildings and Sherman Thomas Charter School

SURROUNDING: The parcels to the north and west are zoned agricultural, rural and are currently vacant. Parcels to the south are in the City of Madera and are currently vacant. The Main Church and Charter School are located on the parcel to the east, in the City of Madera.

SIZE OF PROPERTY: 4.95 Acres

ACCESS (Exhibit A): Ingress and egress to the property is from Adell Street.

BACKGROUND AND PRIOR ACTIONS:

The subject parcels were originally part of the Miller & Lux's Subdivision recorded July 21, 1895. It was again divided by Lot Split 240, recorded February 15, 1965, and again by Lot 1 of Parcel Map 159, recorded March 13, 1968.

A Land Use Permit was approved in 1974 to allow a mobile home and a Zoning Permit was approved in 1995 to allow a home occupation.

PROJECT DESCRIPTION:

This request is for a conditional use permit (CUP #2016-013) to recognize existing church buildings and charter school and to allow the expansion of the church buildings and charter school. The church buildings and charter school cover three parcels, two in the County and one in the City of Madera. The parcels in the County consist of 4.95 acres. There are existing church offices, classrooms, playgrounds and a greenhouse on the two parcels. They propose to remodel an existing storage room into classrooms (1,153 sq. ft.) and in the future, build a science building (1,200 sq. ft.). All buildings will be painted light to medium beige to match the existing church. A maximum of 100 visitors and/or students are expected daily. All buildings are used for both the Sherman Thomas Charter School and Church meetings. Hours of operation are from 6:00 a.m. to 8:00 p.m. There are currently six employees and will expand to ten in the future. There are 39 parking spaces onsite with additional parking on the adjacent parcel where the church is located. The site has an existing well and septic system.

ORDINANCES/POLICIES:

Section 18.54 of the Madera County Zoning Ordinance outlines allowed uses within the AR – 5 (Agricultural, Rural – 5 Acre) zone district. Allowable uses include church facilities with a conditional use permit.

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

Madera County General Plan Policy Document outlines the allowable uses within the LDR (Low Density Residential) designation.

ANALYSIS:

The Valley West Christian Center’s church and the Sherman Thomas Charter School are located on a parcel within the City of Madera. As they have grown, they have spread out onto two adjacent parcels in the County of Madera. They did not realize that a conditional use permit was required. They currently have 200 students, however, the majority of the students attend on the City parcel. There are 80 students attending high school and kindergarten which are located in the County. The rest attend school in the City. There are four teachers and two other employees working on County parcels this could increase to ten employees. Approximately 100 visitors are anticipated daily.

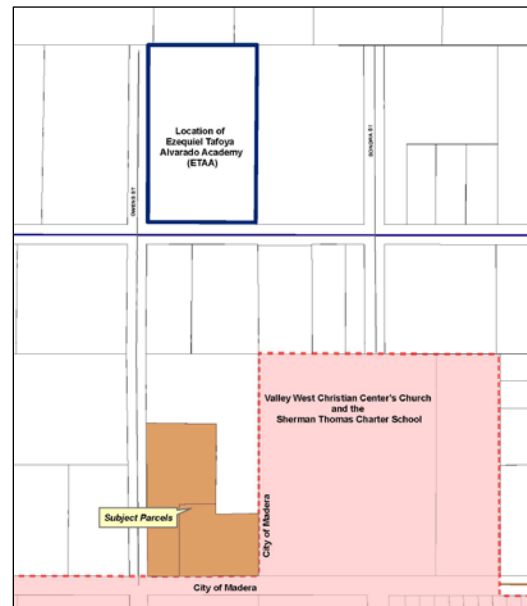
The request is to recognize the existing facility and allow expansion. The facility currently has:

High School Classrooms	1,961	sq. ft.
Second Classroom Building	400	sq. ft.
Kindergarten	1,980	sq. ft.
School Office	2,000	sq. ft.
Ag Storage Building	1,200	sq. ft.
Greenhouse	390	sq. ft.
Shade structure	400	sq. ft.
Storage	120	sq. ft.
Storage Building (Future Classroom)	1,153	sq. ft.
TOTAL	9,604	sq. ft.

An existing 1,153 sq. ft. storage building will be remodeled into classrooms and in the future a 1,200 sq. ft. science building will be added for a total of 10,804 sq. ft. The Madera County Zoning Ordinance requires one parking space for each employee and one parking space per 20 students. Eighty students and 10 employees would equate to 14 parking spaces. The site plan shows a total of 39 proposed parking spaces.

Access will be taken from East Adell Street which is classified as a collector street. The project will have a maximum of 100 visitors per day. The Institute of Traffic Engineers indicates that the generation rate for private school is 0.17 trips per student. The applicant’s operational statement indicates a total of 80 students which would equate to approximately 13.6 trips per day which is less than significant.

The subject parcel is designated LDR (Low, Density, Residential) by the General Plan and is zoned AR-5 (Agricultural, Rural-5 Acre) District. Low, Density, Residential allows for limited agriculture and public uses. The AR-5 zone district has a minimum of 5 acres and allows churches and church building with an approved conditional use permit. Parcels in the area range from 1 acre to 17 acres in size. The Ezequiel Tafoya Alvarado Academy (ETAA) Charter School is located approximately 845 feet north of the subject parcels.



Water will be supplied by an existing well. There will be no substantial expansion. There are 80 students anticipated on this site. On an Avid Water Systems Water Usage Chart, it is estimated that 25 gallons of water per student will be used per day or 2,000 gallons per day.

The project was circulated to outside agencies thought to be impacted or regulating the development of the proposed project. This included the Department of Fish and Wildlife, Department of Water Resources, and the San Joaquin Air Pollution Control District. No responses were received. General comments were received from the Public Works Department, the Environmental Health Division, the Building Division, Fire Division and the Sheriff's Office.

The project requires Automatic Engineered Fire Sprinkler System meeting the minimum standards of NFPA 13. The water well(s) to be used on site for this project, shall be approved and permitted by Environmental Health Division and will be subject to regulations as a "Public Water System".

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 18.54.010 of the Madera County Zoning Ordinance, as the proposed use is allowed in the AR-5 Zone District subject to a conditional use permit.
2. *The proposed project is not contrary to the public health, safety, or general welfare* in that the facility will adhere to all conditions of approval and mitigations as 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 impacts 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 being used by both the church and the charter school. The development on the subject parcels are an extension of the development on the City parcel. All buildings will be constructed with the same design elements and colors. Additional off-street parking will be provided. The improvements should enhance the neighborhood.

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The subject parcel is designated LDR (Low, Density, Residential) by the General Plan and is zoned AR-5 (Agricultural, Rura-5 Acre) District. Low, Density, Residential allows for limited agriculture and public uses. The AR-5 zone district has a minimum of 5 acres and allows churches and church building with an approved conditional use permit.

RECOMMENDATION:

The analysis provided in this report supports approval of the Conditional Use Permit (CUP 2016-013) and Mitigated Negative Declaration (MND 2016-17) subject to conditions and the mitigation monitoring program.

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, Floor Plan
6. Exhibit D-3, Elevations
7. Exhibit E, Aerial Map
8. Exhibit F, Topographical Map
9. Exhibit G, Operational Statement
10. Exhibit H, Environmental Health Comments
11. Exhibit I, Fire Prevention Comments
12. Exhibit J, Public Works Comments
13. Exhibit K, Sheriff's Comments
14. Exhibit L, Initial Study
15. Exhibit M, Mitigated Negative Declaration

CONDITIONS OF APPROVAL

PROJECT NAME:

Leach, Roger - Conditional Use Permit - Madera (038-100-009-000)

PROJECT LOCATION:

northeast corner of the intersection of Owens Street and West Adell Street (101 West Adell Street), Madera

PROJECT DESCRIPTION:

church facility and charter school expansion

APPLICANT:

Leach, Roger

CONTACT PERSON/TELEPHONE NUMBER:

(559) 907-4610

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Environmental Health Division					
	All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division, Public Works or Regional Water Quality Control Board.				
	The water well(s) to be used on site for this project, shall be approved and permitted by this department and will be subject to regulations as a "Public Water System". "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. The Water System must comply with the State Drinking Water Program (DWP) Standards.				
	The owner/operator must obtain all the necessary Environmental Health Division permits prior to any construction activities on site and must comply with Madera County Code(s) Title 13 and 14 throughout the property development as it pertains to the Sewage Disposal System(s) and Water System(s).				
	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.				
Fire Prevention Division					
	The project requires Automatic Engineered Fire Sprinkler System meeting the minimum standards of NFPA 13				
	The Building shall be protected by an Automatic Engineered Fire Alarm system meeting the minimum standards of NFPA 72				
	All gates accessing the project shall be equipped with a Knox Box emergency access device prior to final building inspection. CFC 506.1 & 506.1.1				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Planning Division					
	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 future buildings will maintain an aesthetically appealing façade and/or meet the architectural characteristics of the existing buildings.				
	All mitigation measures outlined in the Mitigated Negative Declaration #2016-17 shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Planning Commission.				
Public Works Department					
	At any time during the operations of the proposed or existing development, at the County's discretion and depending on the condition of the roadways at the time, the County reserves the rights to require the applicant to repair and provide any necessary improvements to the existing roadways if there are damages to the existing roadway pavement caused by the proposed operations.				
	All driveway approaches accessing the site shall be built to County approach design standards as described in the permit. Maximum approach widths are 25' wide for residential and 35' for commercial uses. Approaches wider than the stated maximums may be allowed subject to prior approval of the road commissioner or designee. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction. All driveway approaches accessing the site shall be built to County approach design standards as described in the permit. Maximum approach widths are 25' wide for residential and 35' for commercial uses. Approaches wider than the stated maximums may be allowed subject to prior approval of the road commissioner or designee. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction.				
	At the time of applying for the building permits, if any grading is to occur, the applicant is required to submit a grading, drainage, and erosion control plans to the Public Works Department for review and approval. Such improvement plans shall be prepared by a licensed professional.				
	If there are existing drainage facilities storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development. The developer may be required to provide the necessary documentations or calculations to staff for review.				
	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPs to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.				
	Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation. Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.				

ELLIS ST

LDR

OWENS ST

City of Madera



GENERAL PLAN MAP



ELLIS ST

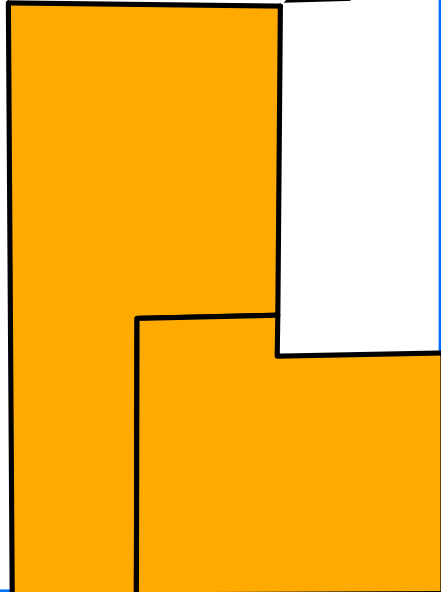
AR-5

OWENS ST

CITY OF MADERA



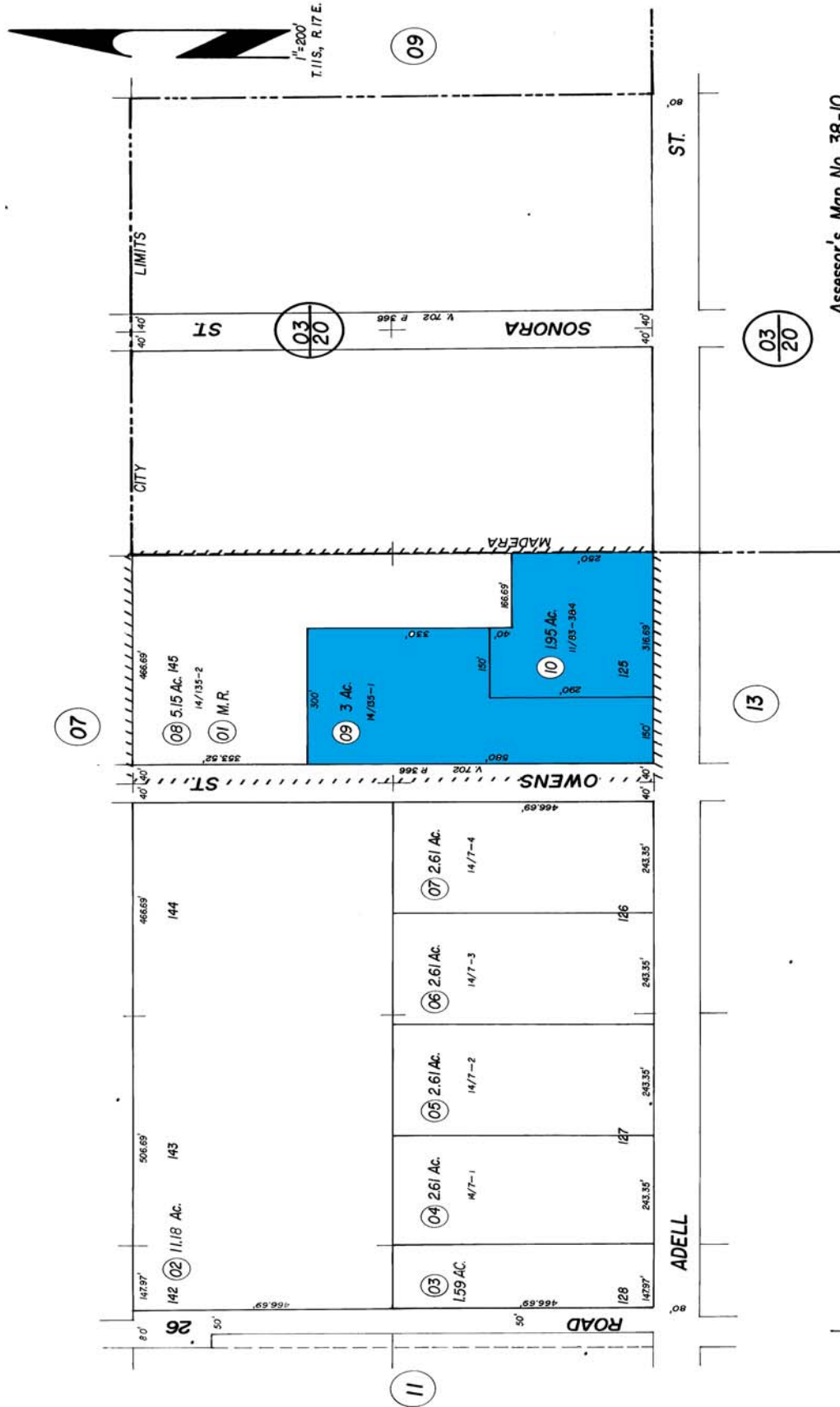
ZONING MAP



38-10

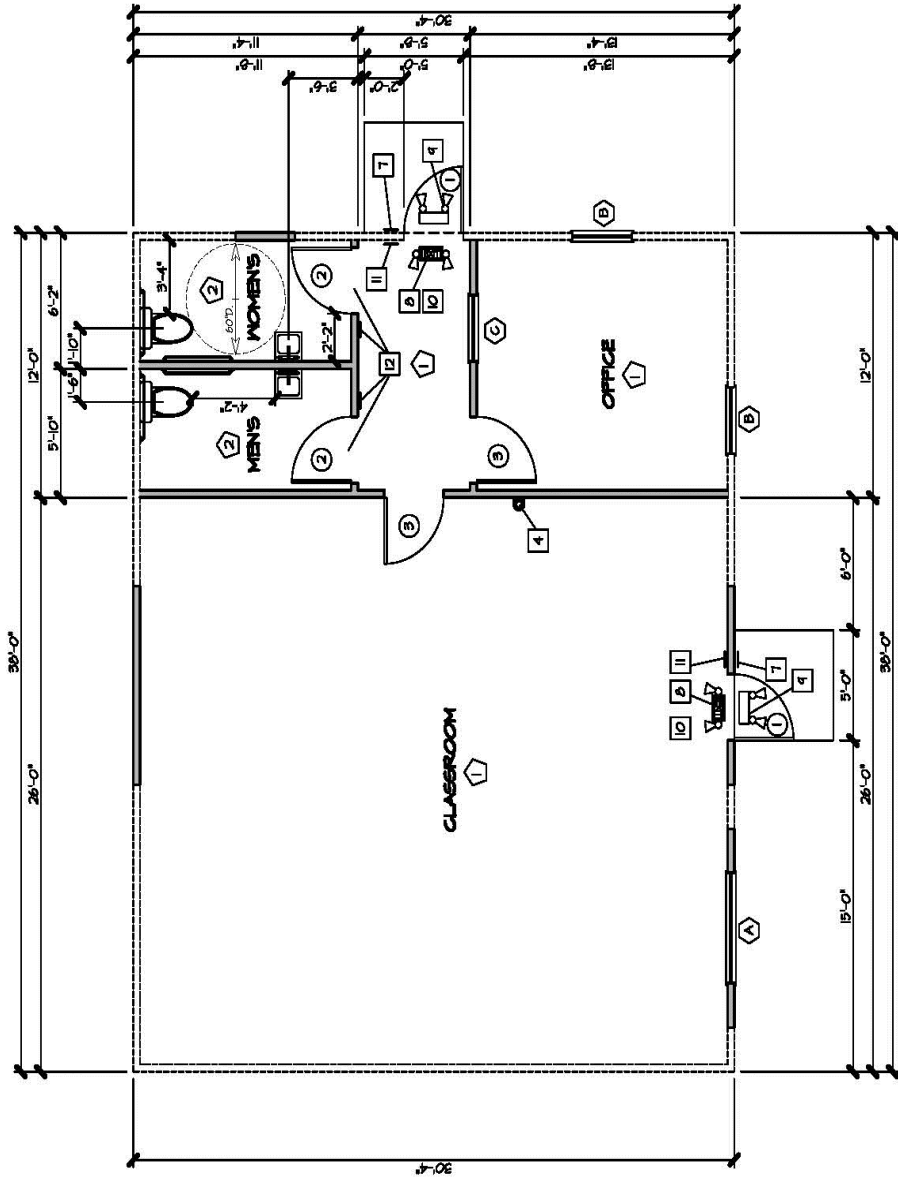
Tax Area Code: 61-004

MILLER & LUX SUBD.



Assessor's Map No. 38-10
 Madera Outside
 Madera County, Calif.
 MADERA UNIFIED





WALL LEGEND

EXISTING 2"X FRAMED WALL

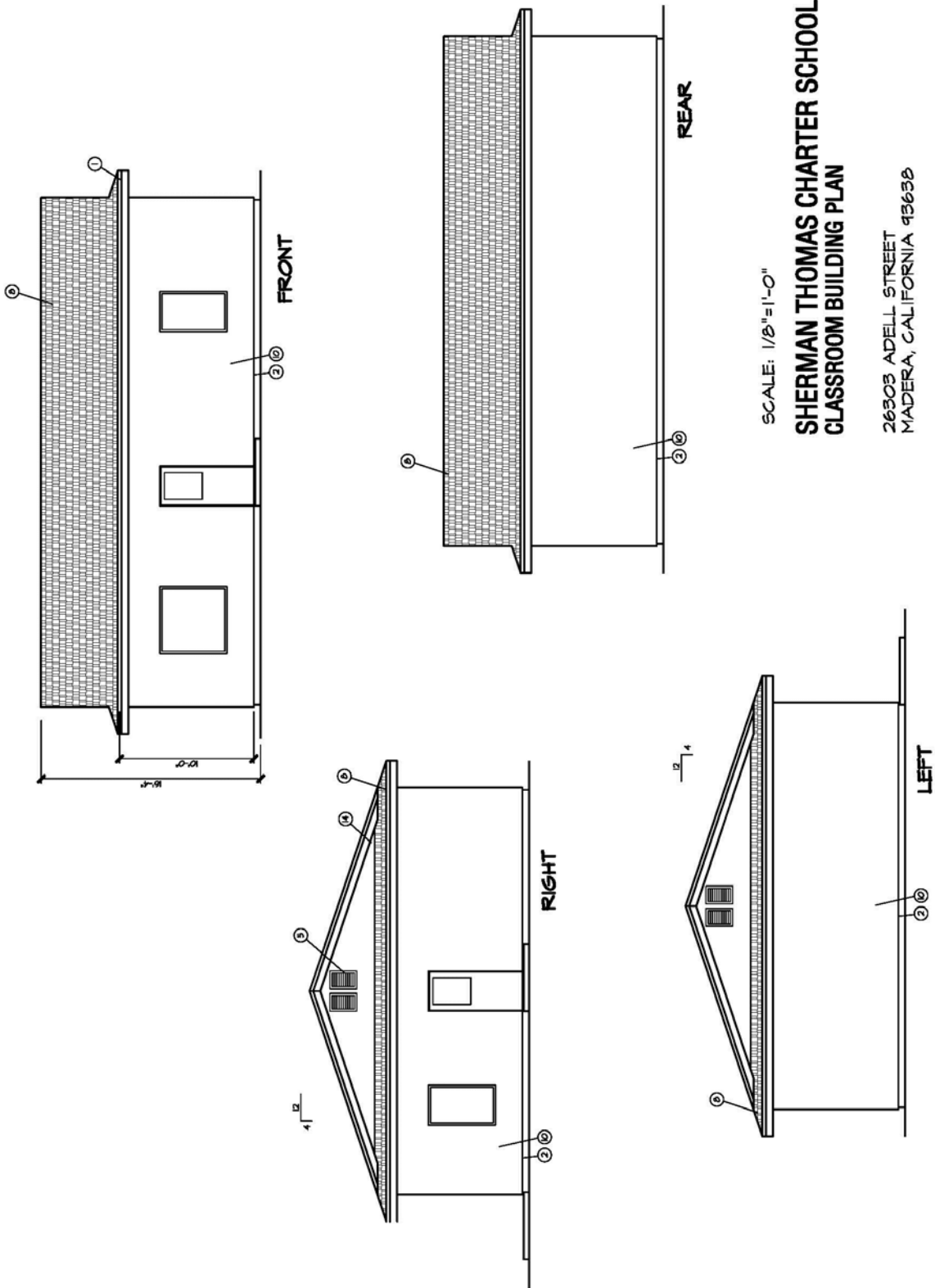
NEW 2"X4" FRAMED WALL

BUILDING AREA :
BUILDING AREA 1153 S.F.

PROPOSED FLOOR PLAN
SCALE: 1/8" = 1'-0"

**SHERMAN THOMAS CHARTER SCHOOL
CLASSROOM BUILDING PLAN**

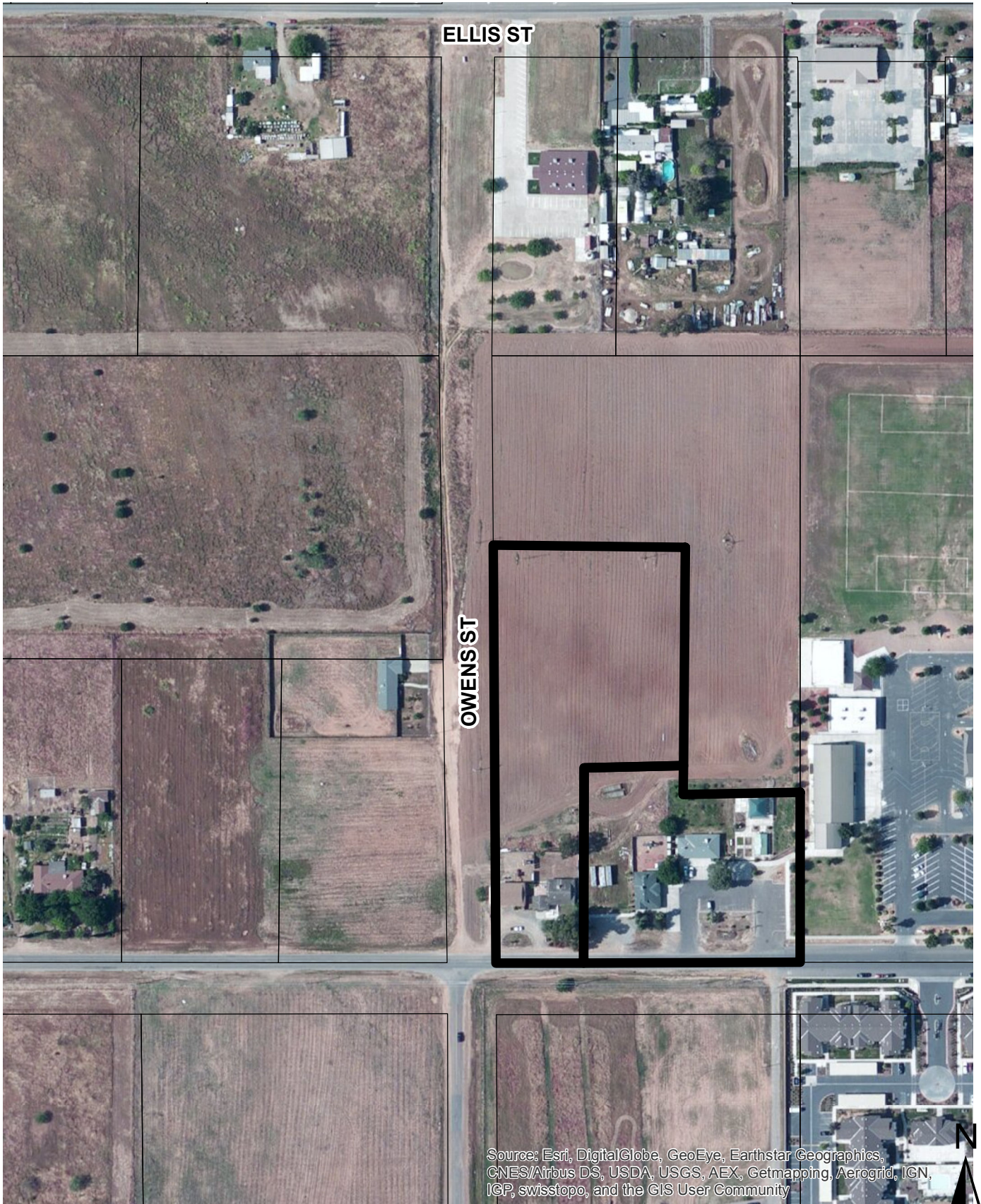
26303 ADELL STREET
MADERA, CALIFORNIA 93638



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

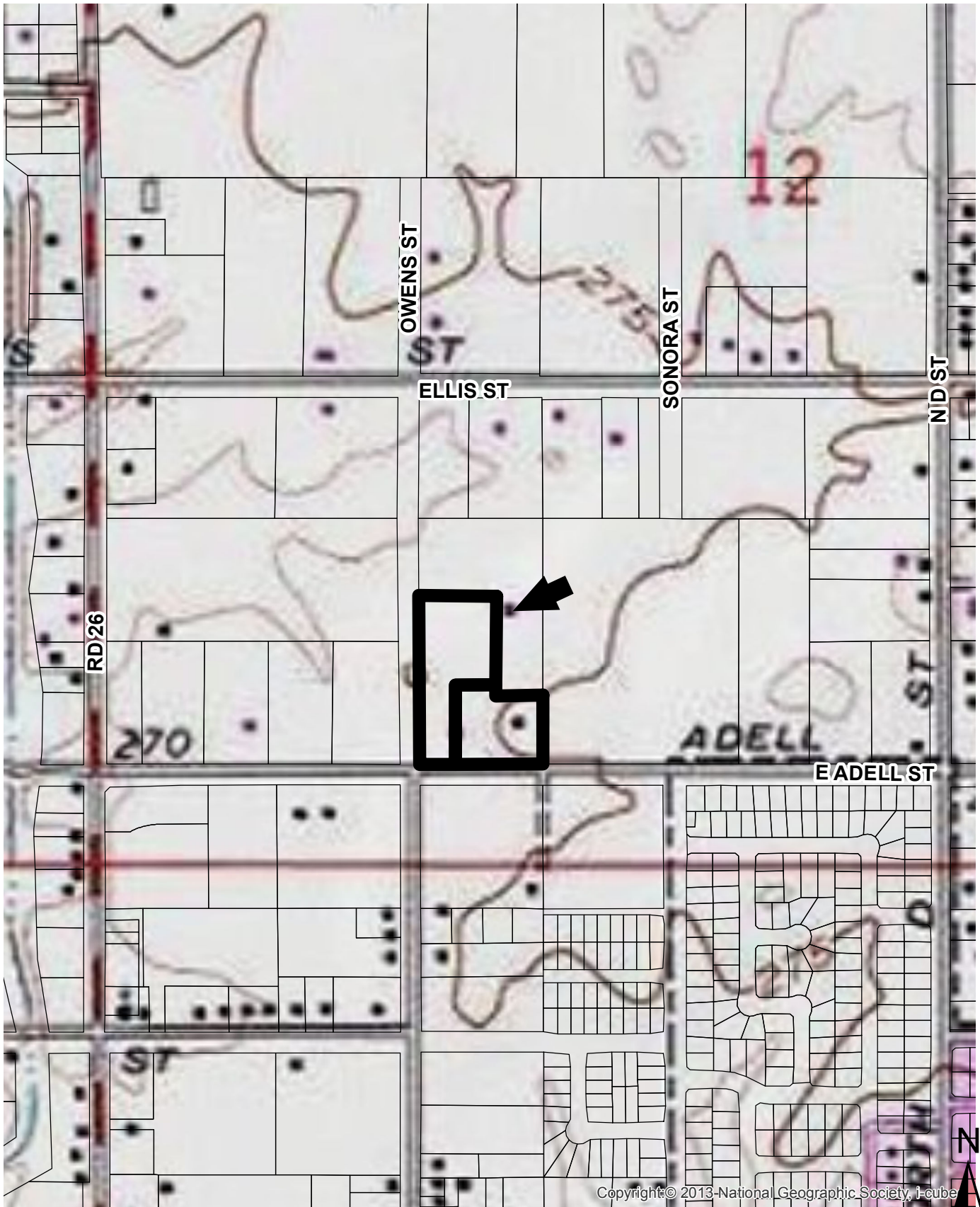
**SHERMAN THOMAS CHARTER SCHOOL
CLASSROOM BUILDING PLAN**

26303 ADELL STREET
MADERA, CALIFORNIA 93638



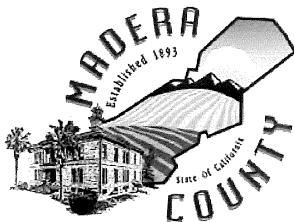
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

AERIAL MAP



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TOPOGRAPHICAL MAP



Community and Economic Development
Planning Division

Norman L. Allinder, AICP
Director

- 200 W 4th 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: 030-100-009 & 030-100-010
 Applicant's Name: ROGER LEACH
 Address: 101 W. ADAM ST., MADERA, CA. 93639
 Phone Number: 559-907-4610

2. Describe the nature of your proposal/operation.

BUILDING WILL BE USED FOR CHURCH BIBLE STUDY GROUPS & ALSO LEASED TO SHERMAN THOMAS CHARTER SCHOOL AS NON-PROFIT CLASSROOM USE.

3. What is the existing use of the property?

PREVIOUSLY CONVERTED S.F.D. TO CLASSROOM & OFFICE SPACE.

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?

NONE

5. What are the proposed operational time limits?

Months (if seasonal): 12 MONTHS FOR CHURCH & 9 MONTHS FOR SCHOOL
 Days per week: CHURCH (1) DAY PER WEEK & SCHOOL (5) DAYS
 Hours (from 8 to 4): Total Hours per day: 8

6. How many customers or visitors are expected?

Average number per day: 75-80
 Maximum number per day: 100
 What hours will customers/visitors be there? 8am TO 4pm & (1) DAY @ 6am-8pm

7. How many employees will there be?

Current: 6
 Future: 10
 Hours they work: 8 HOURS PER DAY
 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.

NONE

9. Will there be any service and delivery vehicles? NONE

Number: N/A

Type: N/A

Frequency: N/A

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

± 30 PARKING SPACES PROVIDED @ SITE THAT ARE ALL PAVED - W/ ADDITIONAL PARKING NEXT DOOR @ CHURCH SITE.

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

ACCESS FROM ADELL ST.

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

NONE

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

NONE

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.

EXISTING STORAGE WOOD FRAMED BUILDING TO BE CONVERTED FOR CLASSROOM USE, BUILDING HT. 16'4", EXT. COLORS TO MATCH EX. CHURCH - LIGHT TO MEDIUM SHADES OF BEIGE / BROWN.

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

LANDSCAPE ON SITE IS EXISTING & TO REMAIN - NO FENCE PROPOSED.

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

NORTH - VACANT, SOUTH - VACANT, EAST - CHURCH / SCHOOL, WEST - VACANT

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

NONE

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).

SITE HAS AN EXISTING WELL, USAGE MINIMAL, LESS THAN A SINGLE FAMILY DWELLING.

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

EXISTING SEPTIC SYSTEM ON SITE, WITH USAGE LESS THAN THAT OF A SINGLE FAMILY DWELLING.

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?

1-4 YRD. TRASH BIN, ONCE PER WEEK REMOVED BY WASTE COMPANY

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

NO GRADING OR TREE REMOVAL, PAD FORMING PROPOSED IN 5 YEARS

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

NONE

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

NO BODIES OF WATER

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

NONE

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

NONE

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

WE WILL PROVIDE A PUBLIC SCHOOL

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

AS A NEEDED IMPROVEMENT TO THE SURROUNDING AREA.

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

WILL ACTUALLY HELP IN RELIEVING THE IMPACT ON EXISTING SCHOOLS & WILL PROVIDE AREAS OF PARKWAYS.

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

CHURCH & CHARTER SCHOOL

Square feet of building area(s): PROPOSED 1153 S.F. / FUTURE 1200 S.F.

Total number of employees: 30

Building Heights: 30' MAX. (PROPOSED CONVERSION 164'")

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

NONE



Community and Economic Development
Environmental Health Division

Dexter Marr, Deputy Director

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

MEMORANDUM

TO: Becky Beavers
FROM: Dexter Marr, Environmental Health Division
DATE: July 5, 2016
RE: Leach, Roger - Conditional Use Permit - Madera (038-100-009-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: June 24, 2016
RE: Conditional Use Permit (CUP) #2016-013, Leach, Madera. APN 038-100-009

The Environmental Health Division Comments:

All individual building or structures that generate liquid waste is required to have its own private sewage disposal system unless they are served by a community sewer system approved by this Division, Public Works or Regional Water Quality Control Board.

The water well(s) to be used on site for this project, shall be approved and permitted by this department and will be subject to regulations as a "Public Water System". "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. The Water System must comply with the State Drinking Water Program (DWP) Standards.

The owner/operator must obtain all the necessary Environmental Health Division permits prior to any construction activities on site and must comply with Madera County Code(s) Title 13 and 14 throughout the property development as it pertains to the Sewage Disposal System(s) and Water System(s).

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

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



Community and Economic Development

Fire Protection Division

DEBORAH KEENAN
MADERA COUNTY FIRE MARSHAL

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

MEMORANDUM

TO: Becky Beavers
FROM: Deborah Keenan, Fire Marshal
DATE: July 5, 2016
RE: Leach, Roger - Conditional Use Permit - Madera (038-100-009-000)

Conditions

The required fire flow of 1,500 gpm at 20 psi is not available. As such, the project requires Automatic Engineered Fire Sprinkler System meeting the minimum standards of NFPA 13.

The Building shall be protected by an Automatic Engineered Fire Alarm system meeting the minimum standards of NFPA 72.

All gates accessing the project shall be equipped with a Knox Box emergency access device prior to final building inspection. CFC 506.1 & 506.1.1

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
DEPARTMENT OF PUBLIC WORKS

AHMAD M. ALKHAYYAT
 INTERIM DIRECTOR

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

MEMORANDUM

DATE: July 5, 2016
TO: Becky Beavers
FROM: Phu Duong, Public Works
SUBJECT: Leach, Roger - Conditional Use Permit - Madera (038-100-009-000)

Comments

The Public Works Department has reviewed the CUP#2016-013 located at 26303 and 26339 Adell Street, Madera, CA 93638. The Department recommends approval with the following conditions:

At any time during the operations of the proposed or existing development, at the County's discretion and depending on the condition of the roadways at the time, the County reserves the rights to require the applicant to repair and provide any necessary improvements to the existing roadways if there are damages to the existing roadway pavement caused by the proposed operations.

All driveway approaches accessing the site shall be built to County approach design standards as described in the permit. Maximum approach widths are 25' wide for residential and 35' for commercial uses. Approaches wider than the stated maximums may be allowed subject to prior approval of the road commissioner or designee. Any construction within the County road of right-of-way will require an Encroachment Permit from the Public Works Department. Once this permit is secured, the applicant may commence with construction.

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

If there are existing drainage facilities storage pond existed on site, the developer is required to verify that the existing system and its onsite storage still have the adequate capacity and fully functional for the proposed development. The developer may be required to provide the necessary documentations or calculations to staff for review.

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

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

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

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CUP #2016-013

Return to: Becky Beavers, Planning Department

Leach, Roger

Responding Agency: Madera Sheriff's Office Date: 6.27.2016

Respondent's Signature: [Handwritten Signature]

1. Does your Agency or Department have a recommendation regarding the approval or denial of this project?

Approve Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

2. If the project is approved, what conditions of approval are recommended?

None related to law enforcement

If the school/church can afford it, a camera system of some type would be a best practice, but not a requirement.

3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): CUP #2016-013

Return to: **Becky Beavers, Planning Department**

Leach, Roger

Responding Agency: Madera Sheriff's Office

Contact Person: Jay Vamey Signature: [Signature]

Telephone No.: 559-675-7777 Date: 6-27-2014

ENVIRONMENTAL REVIEW:

1. Is there sufficient information for you to evaluate the probable environmental impacts of this project?

Yes

No, the following information is needed: _____

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

Negligible impact to traffic volume in the area.

3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an EIR?

Yes No

INITIAL STUDY

Title of Proposal: Leach, Roger - Conditional Use Permit - Madera (038-100-009-000, 038-100-010)

Date Checklist Submitted: 7/6/2016

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:

This request is for a conditional use permit (CUP #2016-013) to recognize church buildings and charter school and to allow the expansion of the church buildings and charter school. The church buildings and charter school cover three parcels, two in the County and one in the City of Madera. The parcels in the County consist of 4.95 acres. There are existing church offices, classrooms, playgrounds and a greenhouse on the two parcels. They propose to remodel an existing storage room into classrooms (1,153 sq. ft.) and build a science building (1,200 sq. ft.) in the future. All buildings will be painted light to medium beige to match the existing church. A maximum of 100 visitor and/or students are expected daily. All buildings are used for both the Sherman Thomas Charter School and Church meetings. Hours of operation are from 6:00 a.m. to 8:00 p.m. There are currently six employees and will expand to ten in the future. There are 39 parking spaces onsite with additional parking on the adjacent parcel where the church is located. The site has an existing well and septic system.

Project Location:

The project is located on the northeast corner of the intersection of Owens Street and West Adell Street (101 West Adell Street), Madera.

Applicant Name and Address:

Leach, Roger
101 W. Adell Street
Madera, CA 93638

General Plan Designation:

LDR (Low Density Residential)

Zoning Designation:

AR-5 (Agricultural, Rural – 5 Acres)

Surrounding Land Uses and Setting:

The subject property is located in a predominately rural residential area with the main church buildings on the adjacent parcel to the east within the City of Madera. The parcels to the north and west are zoned agricultural,

rural and are currently vacant. Parcels to the south are in the City of Madera and are currently vacant. The Main Church and Charter School are located on the parcel to the east, in the City of Madera. The project area is located in an agricultural region of the San Joaquin Valley. The Sierra foothills lie 5 to 10 miles to the north and east. The physical topography of the area varies from nearly level to gently rolling. Elevations range from approximately 340 feet to 390 feet. The topographic relief of the area is provided by the Fresno River approximately one mile to the south. Soil mapping units most common to this area include San Joaquin sandy loam, 0 to 3 percent slopes, and Cometa sandy loams, 3 to 8 percent slopes. Undisturbed soils of the San Joaquin series are often characterized by hummock and swale topography and an impermeable iron-silica hardpan. Water may stand in the small intermound area during wet weather. Internal drainage is restricted by the impervious hardpan. The entire region has a Mediterranean climate with warm to hot dry summers and cool winters. Precipitation in the area is highly variable from year to year, but averages approximately 11 inches of rain. Virtually all rainfall is confined to the months of October through April. Low rainfall, its seasonal distribution and summer heat preclude native trees and shrubs from occurring in the area. Most annual grasses and forbs which sprout during the first winter rains are dead by the onset of summer.

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

Signature

Date

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

CATEGORY	ANALYSIS SUMMARY (See individual pages for details)				Comments
	Potentially Significant Impact				
	Less than Significant Impact with Project Mitigation				
	Less than Significant Impact				
	No Impact				
1. AESTHETICS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All lighting must be hooded and directed away from surrounding properties.
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In the event that materials are discovered, the property owners should immediately contact the Planning Department and cease any excavation activities on the property.
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. UTILITIES/SERVICE SYSTEMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
18. MANDATORY FINDINGS OF SIGNIFICANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) No Impact

According to the Caltrans Map of Designated Scenic Routes, there are no official state-designated scenic routes or eligible state scenic routes within the immediate vicinity of the project. Therefore, the project proposal will not damage scenic resources or historic buildings within a state scenic highway.

(b) No Impact

There is not a designated scenic highway within the immediate vicinity of the project. The existing use of the property is a charter school and church buildings. The current project is to recognize the existing church and school and expand the structures.

(c-d) Less than Significant Impact with Mitigation Incorporated

The church is located on an adjacent parcel within Madera City limits. The buildings on this parcel have been remodeled from an old house, garage and storage buildings. All proposed and future buildings will be built consistent with architectural characteristics of the existing building. The proposal is compatible with the existing use and surrounding land uses and would not degrade the existing visual character of the site. All lighting will be required to be hooded and directed away from streets and surrounding parcels.

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 Department 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 project will not convert the land from farmland. Project site soils are designated "Developed Land" and "Vacant Land" on the 2014 Madera County Important Farm Land Map prepared by the California Department of Conservation. The Soil Survey of Madera County prepared by the Soil Conservation Service indicates soils are classified as San Joaquin sandy loam, 0 to 3 percent slopes, and Cometa sandy loams, 3 to 8 percent slopes. Undisturbed soils of the San Joaquin series are often characterized by hummock and swale topography and an impermeable iron-silica hardpan. Water may stand in the small intermound area during wet weather. Internal drainage is restricted by the impervious hardpan.

(b) No Impact

The project will not convert land from farming and is not under Williamson Act contract. The current zoning is AR-5 (Agricultural, Rural – 5 Acre) and will allow the proposed church buildings with an approved conditional use permit. The northern portion of the parcel is used for agricultural purposes.

(c-e) No Impact

The project is not subject to the Williamson Act. The proposed project is not displacing any existing agricultural operation or is within any Timberland Protection zone.

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

	standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-e) No Impact

The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District standards. The existing buildings are being use and one storage room will be converted to classrooms. Only one new building will be constructed in the future.

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 1974, 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 Madera quadrangle, but since this parcel has buildings on it and is an active facility, most habitats may not exist. No contact was made by the Department of Fish and Game (as of this date) to either add to the information provided or dispute the findings.

(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 has been developed with a commercial office and single family dwelling since 1974 and is adjacent to other commercial operations.

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 in the Madera quadrangle:

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
California tiger salamander	Threatened	Threatened	SSC	-
Swainson's hawk	None	Threatened	-	-
burrowing owl	None	None	SSC	-
molestan blister beetle	None	None	-	-
hoary bat	None	None	-	-
blunt-nosed leopard lizard	Endangered	Endangered	FP	-
coast horned lizard	None	None	SSC	-
Northern Hardpan Vernal Pool	None	None	-	-
hairy Orcutt grass	Endangered	Endangered	-	1B.1
Madera leptosiphon	None	None	-	1B.2

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.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-c) Less than Significant Impact with Mitigation Incorporated

The project has been developed for many years. There will be one new building constructed associated with this application, however, this parcel has also been farmed for many years so it is unlikely that any archeological or historical features of any significance exist on the parcel. However, in the event that materials are discovered, the property owners should immediately contact the Planning Department and cease any excavation activities on the property.

(d) Less than Significant Impact with Mitigation Incorporated

The project has been developed for many years. However, in the event that materials are discovered, the property owners should immediately contact the Planning Department and cease any excavation activities on the property.

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 importance, 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-d) No 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.

(e) No Impact

The facility has an existing septic system that is currently being used without problems. The proposal does not include the installation of a new system.

General Information:

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

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

Seismicity varies greatly between the two major geologic provinces represented in Madera County. The Central Valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada's, partly within Madera

County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Ranges on the west side of the Central Valley are also a result of these forces, and continued movement of the Pacific and North American tectonic plates continues to elevate the ranges. Most of the seismic hazards in Madera County result from movement along faults associated with the creation of these ranges.

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

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

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

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

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

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

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

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

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

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

The greenhouse emissions generated by the project would not be substantial. The church and charter school are existing and in operation on the parcel at this time. There is a potential of increase in traffic. However, the church is located on the adjacent parcel and considering the nature of the proposal, many of the same clientele could be patronizing other facilities in the area.

(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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

There will not be any hazardous materials onsite. The request is for a conditional use permit to recognize existing church buildings and a charter school and to allow the expansion of the facility. During hours of operation, the existing charter school may involve the use and storage of chemicals and supplies used for cleaning, building maintenance, and landscaping. However, these chemicals would not be significantly different from household chemicals. The use of these chemicals would adhere to local, state, and federal policies and regulations. Therefore, causing 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 will not occur.

(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.

(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-f) No Impact

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

(g) No Impact

No impacts are identified as a result of this project.

(h) No Impact

The project site is not located within an area which may be affected by wildland fires. All future buildings must meet buildings setbacks and will be designed to incorporate all Building and Fire Code requirements. The proposed project site is located approximately, three miles away from Madera County Fire Station #3. The project site is equipped with the appropriate fire protection features to maintain the acceptable service ratios and response times needed for fire protection services.

General Information:

Any hazardous material because of its quantity, concentration, physical or chemical properties, pose a significant presence 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 pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	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?				
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

An existing water system and septic system will be utilized. Any future septic systems would be regulated by the Madera County Environmental Health Department. Therefore, the proposed project expansion would not violate any water quality standards or waste discharge requirements.

(b) Less than Significant Impact

Water will be supplied by an existing well. There will be no substantial expansion. There are 80 students anticipated. It is estimated that 15 gallons of water per student will be used or 36,000 gallons per month.

(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 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.

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 project 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

The project location is within an area which is planned for small five acre ranchets. A church and church school are allowed with an approved conditional use permit. The proposal would be consistent with the long term vision of the area. There is another church and charter school within the immediate area.

(b) No Impact

No known impacts exist. The zone district for this parcel is agricultural and would allow the proposed operation with an approved conditional use permit.

(c) No Impact

There is not an adopted habitat conservation plan or natural community conservation plan for the proposed project location.

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 are 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"/>

Discussion:

(a-d) Less than Significant Impact

The proposed project will have some noise impacts as far as remodeling the existing building. Those activities are subject to the Madera County Code in terms of defining times and levels of noise acceptable. That ordinance is enforced by the Environmental Health Department. Appliances, electricity, cars are among the various sources which will now be present in the area to raise ambient levels. However, that level is not deemed to be significant.

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 dBA 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 closest fire station is Station #3, approximately 3 miles north of the project site. Development fees include capital facilities fees which contribute to police and fire services.

(a-iii) No Impact

The project is within the Madera Unified School District. The proposal is to recognize existing church buildings and a charter school. The facility should offer additional choices of schools and reduce the impact on public schools.

(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 recordation 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 impacts are 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 impacts 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?				
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<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

The proposed project is located on the northeast corner of the intersection of Owens Street and West Adell Street, Madera. 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) No Impact

The project will have a maximum of 100 visitors per day. The Institute of Traffic Engineers indicates that the generation rate for private school is 0.17 trips per student. The applicant's operational statement indicates a total of 80 students which would equate to approximately 13.6 trips per day which is less than significant.

(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 are 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.

General Information:

According to the Institute of Traffic Engineers (9th 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

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 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-g) No Impact

The facility will utilize an existing well and there will be no additional water source that would require permitting through the Regional Water Quality Control Board. An existing septic tank will be used for the project and will follow the applicable standards by the Environmental Health Division.

General Discussion:

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

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

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

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

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

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-c) Less than Significant Impact

Potential environmental impacts from the proposed uses of the project site have been analyzed in this document and mitigation has been included that ensures impacts can be held to a less than significant level. Nor would individual impacts from the project significantly contribute to cumulative impacts in the area. Overall, no significant environmental impacts are anticipated which cannot be adequately mitigated.

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 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

MITIGATED NEGATIVE DECLARATION

MND 2016-17

RE: Leach, Roger - Conditional Use Permit - Madera (038-100-009-000)

Location and Description of Project:

The applicant is requesting a Conditional Use Permit to recognize church buildings and a charter school and allow expansion of the facility. The project is located on the northeast corner of the intersection of Owens Street and West Adell Street (101 West Adell Street), 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:

1. 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, 200 West 4th Street, Madera, California.

DATED: June 29, 2016

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2016-017

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	All lighting shall be hooded and directed away from surrounding properties and roadways.							
Agricultural Resources								
Air Quality								
Biological Resources								
Cultural Resources								
	If project construction related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project related activities should be halted and a professional archaeologist brought in to determine the culture of the deposits.							
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Transportation and Traffic								
Utilities and Service Systems								