




Community and Economic Development Planning Division

Matthew Treber 
Director of Community and Economic Development

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

PLANNING COMMISSION DATE: December 6, 2016

AGENDA ITEM: #2

S	#2014-001	Time Extension for a Tentative Subdivision Map
APN	#059-200-020	Madera County
CEQA	#2014-026	Mitigated Negative Declaration

REQUEST:

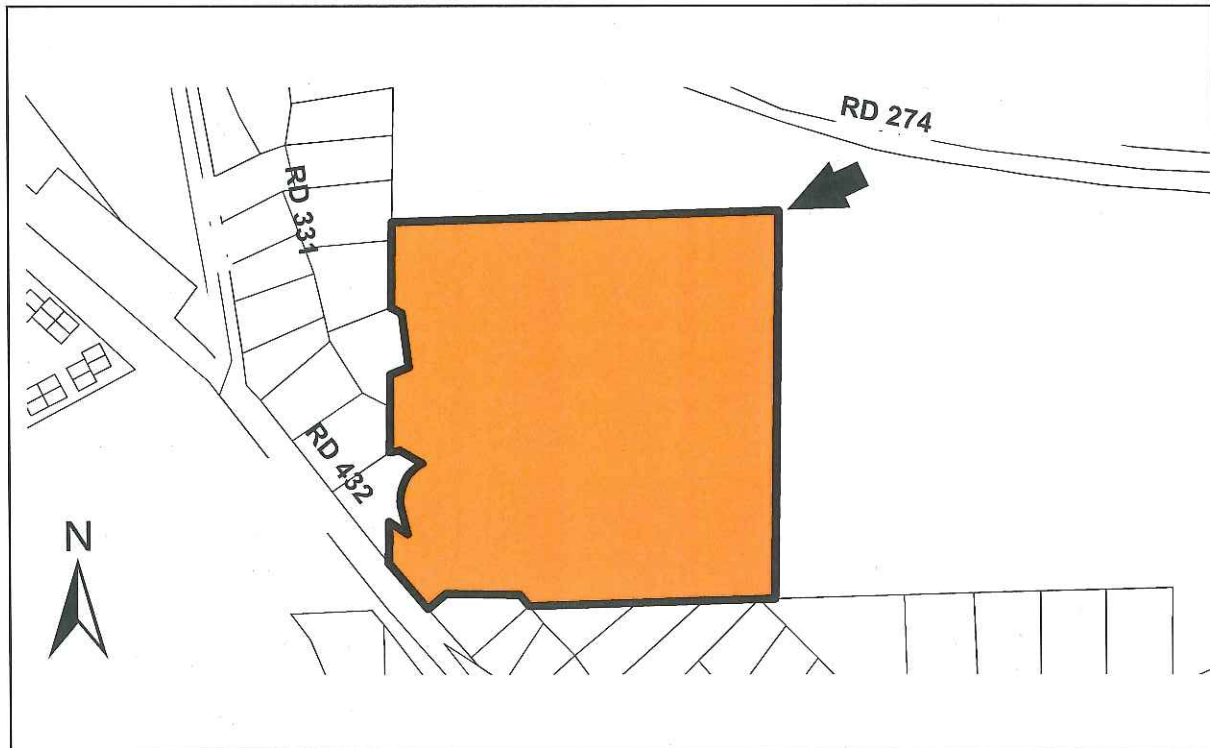
This request is for the first one-year time extension for a Tentative Subdivision Map that would divide 9.62 acres into 21 residential lots.

LOCATION:

The property is located on the east side of Road 432, approximately 280 feet south of its intersection with Road 331 (no situs), Bass Lake.

ENVIRONMENTAL ASSESSMENT:

Mitigated Negative Declaration (MND #2014-26) was previously adopted by the Board of Supervisors on November 3, 2014.



RECOMMENDATION: Staff is recommending approval of the first one-year time extension for Tentative Subdivision Map S #2014-001.

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: LDR (Low Density Residential) Designation

SURROUNDING: LDR (Low Density Residential), PI (Public Institution), IA (Institution Area) and OS (Open Space) Designations

ZONING (Exhibit B):

SITE: RUS (Residential, Urban, Single Family) District

SURROUNDING: POS (Public, Open, Space), RMS (Residential, Mountain, Single Family) and RRM (Residential, Rural, Multiple Family) Districts

LAND USE:

SITE: The project site is predominately vacant with some storage buildings being used by the County.

SURROUNDING: Parcels to the northwest and south consist of residential uses and the parcels to the north and east are Forest Service land.

SIZE OF PROPERTY: 9.62 acres

ACCESS: Access is proposed from Road 432.

BACKGROUND AND PRIOR ACTIONS:

On October 7, 2014 the Planning Commission voted 4-1 in favor of recommending approval of General Plan Amendment (GP #2014-003) from PI (Public Institutional) Designation to LDR (Low Density Residential) Designation, a rezone from POS (Public, Open Space) District to RUS (Residential, Urban, Single Family) District and a Tentative Subdivision Map for 21 residential lots.

On October 26, 2014 Madera County deeded a portion of the County owned property to three adjoining parcels to resolve encroachment issues.

On November 3, 2014 the Madera County Board of Supervisors approved a General Plan Amendment (GP #2014-003) from PI (Public Institutional) Designation to LDR (Low Density Residential) Designation, a rezone from POS (Public, Open Space) District to RUS (Residential, Urban, Single Family) District and a Tentative Subdivision Map for 21 residential lots.

On November 4, 2014 the Madera County Board of Supervisors accepted an easement deed from Kenneth J. Davis to allow for access to the proposed lots.

PROJECT DESCRIPTION:

Madera County is requesting a one year time extension for Tentative Subdivision Map S #2014-001 that would divide 9.62 acres into 21 residential lots.

ORDINANCES/POLICIES:

Madera County Code Chapter 17.20 regulates Tentative Subdivision Maps.

California Government Code Title 7 (Subdivision Map Act).

Madera County General Plan Policy Document (pg.10) outlines the allowable uses within the Low Density Residential (LDR) designation.

Madera County Code 18.12.010 outlines land uses in the Residential Urban Single Family (RUS) zone district.

Section 17.20.120 of the Madera County Zoning Ordinance outlines the procedures for Extension of Time for filing of a Final Map.

ANALYSIS:

Madera County is requesting a one-year time extension for Tentative Subdivision Map S #2014-001 that would divide 9.62 acres into 21 residential lots. The request was filed on October 28, 2016 which was prior to the expiration date of November 3, 2016.

Under the provisions of the Subdivision Map Act (Map Act), State of California Government Code §66452.6, states that prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved. The Map Act also stated that a Tentative Subdivision Map may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years.

The Tentative Map has been reviewed and it has been determined that no changes have occurred that would change the manner in which a new Subdivision Map application would be considered. Therefore, the original Conditions of Approval and Mitigation Monitoring Reporting Program placed on the Tentative Subdivision Map (S #2014-001) remain in full effect. However, the Planning Division will revise the date of Tentative Map Expiration on the Conditions of Approval, if the one-year time extension is approved.

WILLIAMSON ACT:

The parcel is not subject to a Williamson Act (Agricultural Preserve) contract.

GENERAL PLAN CONSISTENCY:

The proposed General Plan designation and zone district are consistent with each other and with the surrounding area.

The project provides for the development of 21 residential lots which is approximately two dwelling units per acre. The density falls within the range of allowed density in the proposed General Plan designation of LDR (Low Density Residential) of 1-7.5 dwelling units per acre.

The LDR (Low Density Residential) designation provides for single family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses.

RECOMMENDATION:

The analysis provided in this report supports approval of the first one-year time extension for a Tentative Subdivision map that would divide 9.62 acres into 21 residential lots.

**S #2014-001
STAFF REPORT
CONDITIONS:**

December 6, 2016

See Exhibit G.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D, Tentative Subdivision Map
5. Exhibit E, Aerial Map
6. Exhibit F, Topography Map
7. Exhibit G, Conditions of Approval
8. Exhibit H, Mitigation Monitoring Reporting Program
9. Exhibit I, First Time Extension Request Letter from Madera County



GENERAL PLAN MAP

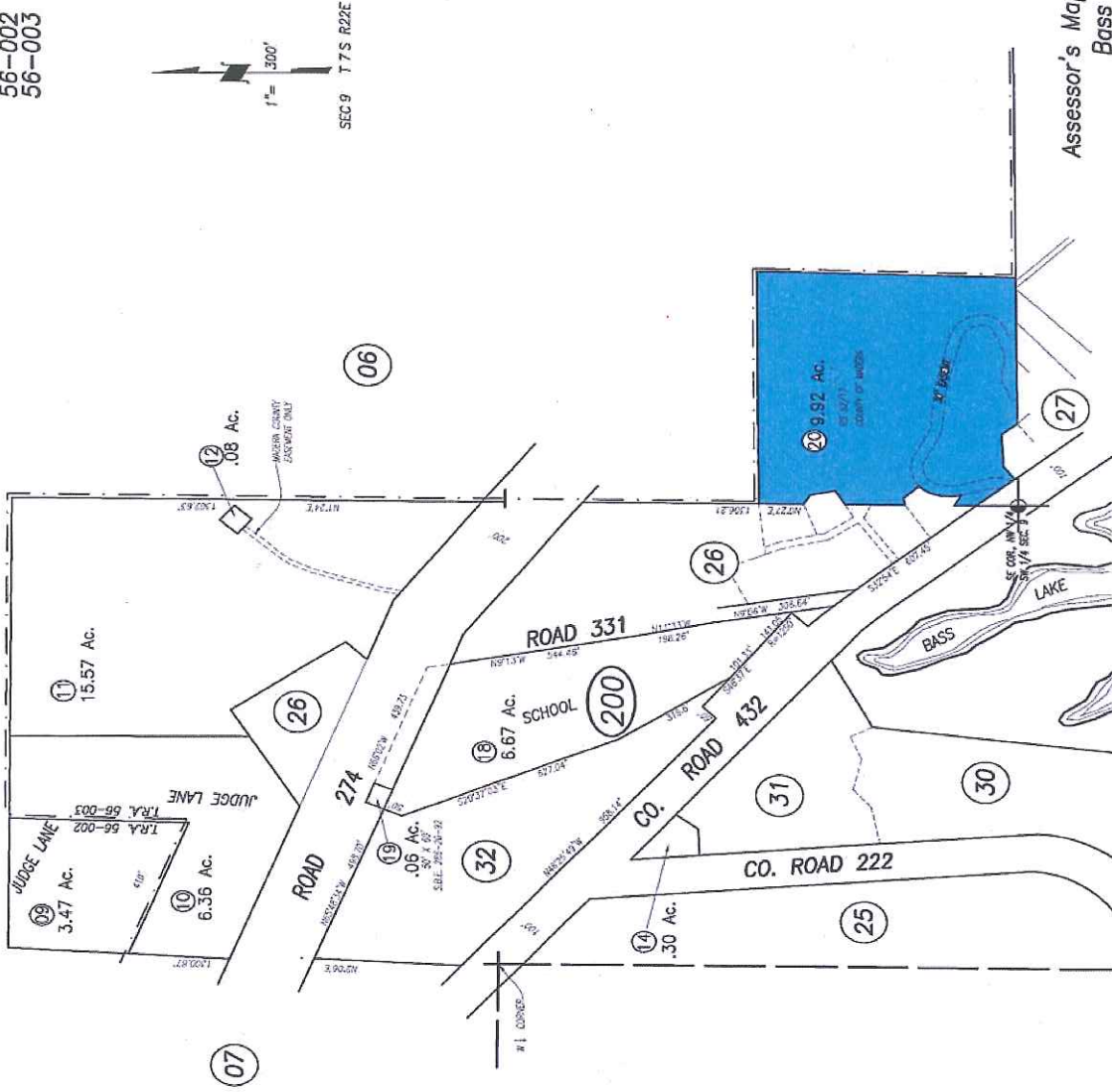


ZONING MAP

59-20

Tax Area Code
56-002
56-003

06 SEC. 9 T.7S. R.22E. M.D.B.&M.



Assessor's Map No. 59-20
Bass Lake
County of Madera, Calif.
1964

©2004 Madera County Assessor. All Rights Reserved

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

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

15272-23 40

ORIGINAL



OWNER
MADERA COUNTY

DEVELOPER
PAUL CONTRERAS

PROPOSED LAND USE - RESIDENTIAL

EXHIBIT AREA - 20.00 AC.
NUMBER OF LOTS - 20

MAPING DATE - 02/11/2007
DATE OF PRELIMINARY PLAN - 02/11/2007
DATE OF PRELIMINARY PLAN - 02/11/2007
DATE OF PRELIMINARY PLAN - 02/11/2007

ROADS
PROPOSED BY ANNEKED WORKING CLASS Y HOME PLANS AND
MAINTAINED BY ANNEKED HOMEOWNERS ASSOCIATION AS PER PROPOSED CC&R,
VERSION CODE 001 TO EXHIBIT 'C'

UTILITIES
POWER - UNDERGROUND FROM
MADERA COUNTY
WATER - UNDERGROUND FROM
SEWER - UNDERGROUND FROM
GAS - UNDERGROUND FROM

GENERAL NOTES
EXHIBIT AREA WILL BE RE-DEVELOPED ACCORDING TO THE COMBINATION
OF THE LOCAL GENERAL PLAN AND THE LOCAL SUBDIVISION MAP.
PROPOSED LOTS WILL BE RE-DEVELOPED FOR PUBLIC UTILITIES
SUBDIVISION WILL BE RE-DEVELOPED IN 2008 OR THEREAFTER.
PAGE 1 WILL BE COMPOSED OF LOTS 1 THROUGH 10.
PAGE 2 WILL BE COMPOSED OF LOTS 11 THROUGH 20.

MODIFIED CLASS V ROAD CROSS-SECTION

LEGEND

- SUBDIVISION BOUNDARY
- ORIGINAL PAVEMENT BOUNDARY
- PROPOSED PAVEMENT BOUNDARY
- PROPOSED RIGHT-OF-WAY / ROAD EASEMENT
- PROPOSED EXISTING SIDEWALK WITH UTILITY POLE
- EXISTING SIDEWALK
- EXISTING UTILITY POLE



DATE	02/11/2007
BY	PAUL CONTRERAS
CHECKED BY	PAUL CONTRERAS
APPROVED BY	PAUL CONTRERAS
DATE	02/11/2007
BY	PAUL CONTRERAS
CHECKED BY	PAUL CONTRERAS
APPROVED BY	PAUL CONTRERAS
DATE	02/11/2007
BY	PAUL CONTRERAS
CHECKED BY	PAUL CONTRERAS
APPROVED BY	PAUL CONTRERAS

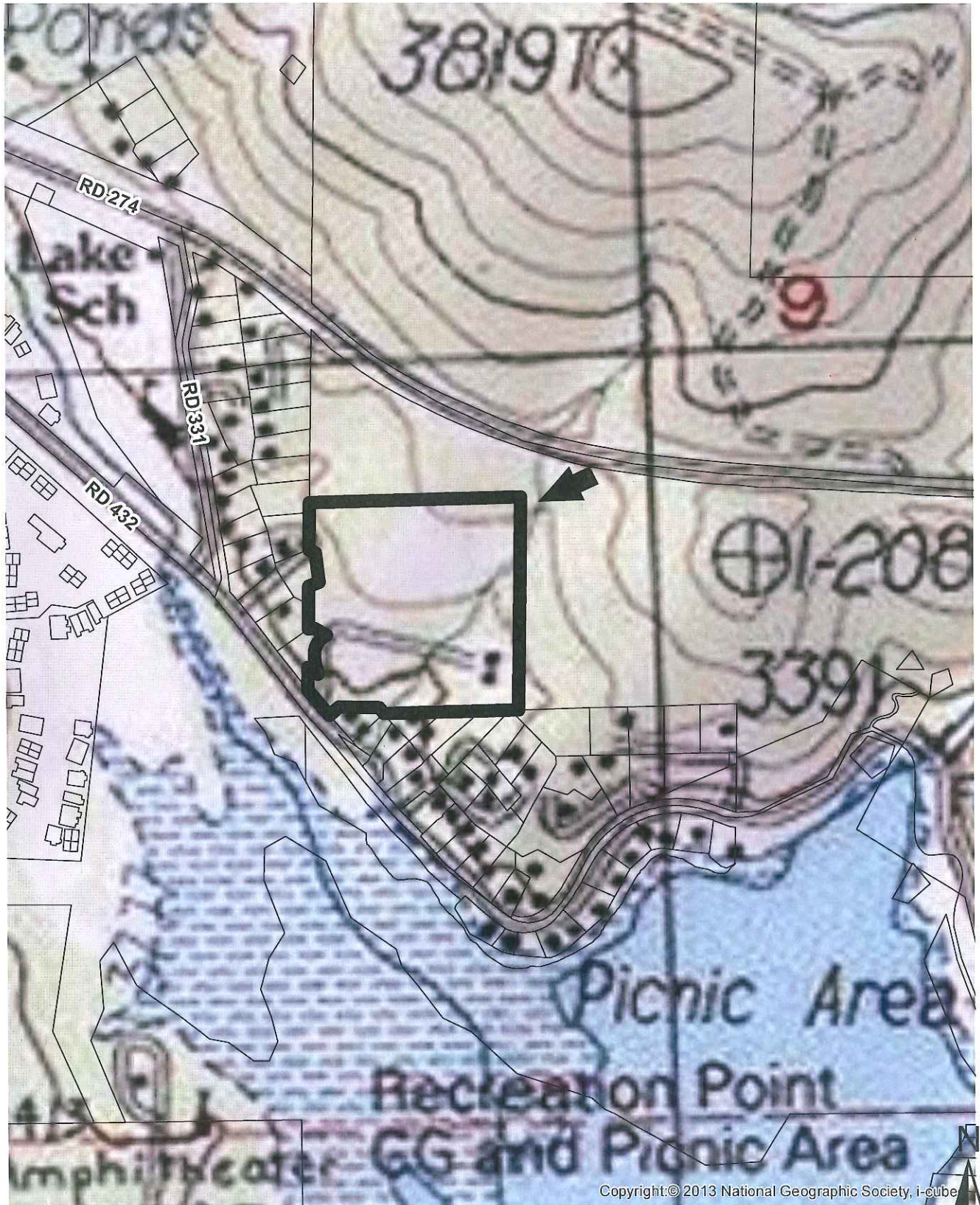
TENTATIVE SUBDIVISION MAP FOR MADERA COUNTY / PAUL CONTRERAS

BASS LAKE, MADERA COUNTY, CALIFORNIA
POR. APN 069-200-004



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

AERIAL MAP



TOPOGRAPHICAL MAP

CONDITIONS OF APPROVAL

PROJECT NAME: Subdivision #2014-001, General Plan Amendment #2014-003, Rezone #2014-003, Contreras
 PROJECT LOCATION: East side of Road 432, approximately 280 feet south of its intersection with Road 331 (no situs), Bass Lake
 PROJECT DESCRIPTION: Division of 10 acres into 21 residential lots, a general plan amendment, and a rezone

APPLICANT: Paul Contreras
 CONTACT PERSON/TELEPHONE NUMBER: (559) 760-0527

No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
Remarks				
ENGINEERING DEPARTMENT				
1	The identified parcel is located in Flood Zone "D" as shown on the latest Flood Insurance Rate Maps (FIRM), an area determined to be outside the 100-year flood plain. A parcel identified as not being located within a Special Flood Hazard area may be subject to localized drainage problems that are site specific and not included in this flood zone determination.			
2	The property is within Madera County Service Area 2A S, Bass Lake Sewer District (SA2A S). APN 059-200-004 currently has 20 Sewer Units allocated. The proposed Subdivision will require 21 Sewer Units to be in compliance with the county ordinance. Hence, the project will need to obtain 1 more Sewer Unit. Please contact our department to obtain information regarding availability and the process to achieve adequate capacity.			
3	The proposed Subdivision will be served by the Bass Lake Water Company. A Will Serve Letter which allows the development to connect to their water system is required.			
4	Drainage plan will need to be submitted to the Engineering Department which will demonstrate that each property will retain all run-off generated by their parcel, OR a Community Retention Basin that may require an OUTLOT to serve its use.			
5	The Map shows that the right-of-way will be utilized as Public Utility Easements (PUEs), this is acceptable to our department but the easements will need to be formed.			
ENVIRONMENTAL HEALTH DEPARTMENT				
1	This proposed subdivision shall be served by a community water system and a community sewer system. Water and sewer services for any structures, on any lots, within this development must be connected to an approved community water system as well as a community sewer system. *IMCC 17.48.020 & 17.48.010			
2	This development is located within Madera County Service Area (CSA) SA 2 S and is included with the County Sewer Master Plan and therefore shall connect to it as an approved community sewer system for each individual parcel within the subdivision. The development shall comply with all CSA requirements.			
3	This development is located within the Bass Lake Water Company and will require a Will Serve Letter as approval of water connection for this proposed subdivision.			
4	Mandatory Solid Waste collection service is recommended.			
FIRE DEPARTMENT				
1	A comprehensive Fuel Reduction Plan shall be completed in conjunction with the Fire Marshal's Office and approved by the Madera County Fire Marshal. Fuel reduction plans shall be required for all developments within State Responsible Areas designated as Wildland Urban Interface. Due to the extreme vegetation in the area major fuel reduction shall be completed based upon site inspection conducted by the Fire Marshal. The Fuel Reduction Plan shall be submitted, approved, implemented and completed as required by the County Fire Marshal prior to recordation of the final map.			
2	All roads accessing the project shall be identified by name and signed at intersections. All cul-de-sac roads shall be signed "NOT A THROUGH ROAD" at intersections.			
3	A fire suppression hydrant system shall be available to within 1000 feet of the frontage of each proposed parcel. Acceptable hydrants shall be able to produce no less than 1,000 gpm at 20 psi for 2 hours. Hydrants shall be tested and approved prior to the recordation of the final map.			
4	The subject property is within State Responsibility Area (SRA); as such a Registered Licensed Professional Forester must determine whether the project site requires a timberland conversion. Contact shall be made with either a Registered Licensed Professional Forester or the CAL-Fire Forestry division in Mariposa (209) 966-3622 extension 218 to determine if any state forest issues will need to be addressed. Documentation of the forester's determination will be needed prior to approval of the final map.			
PLANNING DEPARTMENT				
1	The final map shall be prepared and processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.			

No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
			Remarks	
2	The applicant's engineer shall submit the construction plans for all improvements (i.e., water, sewer, drainage, roads, etc.) required for this subdivision to the Planning Department simultaneously with the final subdivision map filing.			
3	All construction plans shall be reviewed and approved by all Subdivision Committee members (Planning, Road, Fire, Environmental Health, and Engineering Departments) prior to issuance of any or all construction permits from a department or departments.			
4	The applicant's engineer after Subdivision Committee approval of all construction plans shall submit a reproducible copy of said construction plans to the Planning Department for signature by all Subdivision Committee members authorized agent prior to issuance of any or all construction permits.			
5	Relocation of all existing utility lines, if any, shall not be at the County's expense. The relocation shall be completed prior to final map approval. If bonding is utilized, inclusion of the relocation cost(s) shall be included in the cost estimate and certified as acceptable by the appropriate public utility(s).			
6	All improvements (water, sewer, roads, street signs, hydrants, utilities, vegetation clearing, etc.), including any necessary easements, required by the appropriate governmental agencies and/or public utilities shall be installed on each lot, unless bonded, prior to final map approval. Written certification that each improvement has been installed or will be bonded shall be submitted to the Planning Department by the responsible permitting agency/utility.			
7	Use of the outlot(s) is restricted to the specific use(s) indicated on the final map. Any deviation will require the approval of the County of Madera.			
8	Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by the map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt of a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.			
9	The term of the subdivision map shall be extended for a period of time to the longer of, (i) the expiration date of the Development Agreement as set forth in Section 3.8 thereof, including any extensions thereof, or (ii) the term of such maps under applicable provisions of the Subdivision Map Act, including any non-discretionary extensions and any granted discretionary extensions thereof.			
10	The final subdivision map shall require written approvals and Certificates of Acceptability from the Madera County Fire, Road, and Environmental Health Departments.			
11	The final subdivision map shall require the signature of the Madera County Engineer/Surveyor and his Certificate of Acceptability.			
12	A Subdivision Guarantee, current within 30 days, shall be provided to the Planning Department simultaneously with the final map.			
13	Payment of all current, supplemental, pending supplemental, delinquent, and estimated taxes, as applicable, shall be made prior to approval of the final subdivision map.			
14	A recording fee, based upon the number of final map sheets, shall be provided to the Planning Department for use in the final map recording.			
15	A fee for the recording of the Right-to-Farm Notice required in conjunction with this proposal shall be provided to the Planning Department.			
16	Corrective comments pertinent to the final map may be stipulated upon review of the final map for compliance with State law, County ordinance and conditions of approval.			
17	The applicant shall apply to the Planning Department for a road name and pay for all required signs. Signs shall be approved and payment shall be received prior to final map approval.			
18	Each addressable structure shall have its address posted on it. If the posted address is not visible from the roadway to which the address is issued, the address shall also be posted at the intersection of that roadway and the driveway serving the structure. Multiple addresses shall be posted on the same post.			
19	Under provisions of County Code Chapter 15.03, the applicant shall dedicate land or pay a fee in lieu of dedication of land for parks and recreational facilities.			
ROAD DEPARTMENT				
1	As a condition of approval, the proposed subdivision shall have two points of access onto a through road.			
2	All proposed roads shall not exceed the maximum dead end road length.			
3	All centerline information must be shown on the map for the proposed roads (MCC 17.72.100.G). The existing as well as all proposed roads shall comply with all applicable County Codes and Standards, and be designed to meet CALTRANS and AASHTO Standards. All off-site roadways connecting the project to Road 432 must meet Caltrans and / or AASHTO Standards. Existing roadways that do not meet the minimum geometric and / or structural standards must be brought up to such standards (MCC 17.32.080 and 17.32.090).			

MITIGATION MONITORING REPORT

MND # 2014-26

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	All outdoor lighting shall be shielded and directed away from neighboring properties.							
Agricultural Resources								
Air Quality								
Biological Resources								
1	Prior to construction of the roadways and infrastructure within this habitat, a qualified biologist shall conduct a preconstruction survey for special-status species in areas slated for development of the tentative map improvements. Only if special-status species are identified during the preconstruction survey will an addendum to this report be prepared addressing the species.							
2	If special-status are found in areas slated for removal, construction shall be delayed until further consultations with the appropriate agencies are completed.							
3	Preconstruction surveys for special status plant species shall be conducted in all areas where roadway and infrastructure development depicted on the tentative map is slated to occur. These surveys shall be conducted by a qualified botanist pursuant to "Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants" (USFWS, 1996a). Only if special-status species are identified during the survey will an addendum to this report be prepared addressing the species.							

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
4	In the event that special status plant species are identified, a mitigation measures shall be conducted in accordance with the California Native Plant Society's "Policy on Mitigation Regarding Impacts to Rare, Threatened, and Endangered Plants" (CNPS, 1991).							
5	During the raptor nesting season the applicant shall have a qualified biologist survey construction areas where roadway and infrastructure development depicted on the tentative map is slated to occur and their immediate vicinity for active raptor nests. The surveys shall be conducted according to a protocol developed in consultation with the California Department of Fish and Game. Only if special-status species are identified during the survey will an addendum to this report be prepared addressing the species.							
6	Active raptor nests discovered during the preconstruction survey shall be marked on a map. A construction-free setback or buffer should be established around each active nest by means of fencing or stakes with conspicuous flagging. No construction activities shall be permitted within the buffer area until the young have fledged or the species are no longer attempting to nest.							
Cultural Resources								
1	Applicant shall comply with the request of the North Fork Rancheria to have a cultural monitor on site during grading/construction.							
Hazards and Hazardous Materials								
1	Applicant shall provide two points of ingress and egress as per General Plan policy 6.C.5.							
Hydrology and Water Quality								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
						Initials	Date
Land Use and Planning							
Mineral Resources							
Noise							
Population and Housing							
Public Services							
Recreation							
1	Applicant shall pay parks/recreational facilities fees in accordance with the Quimby Act and Title 15 of the Madera County Code.						
Transportation and Traffic							
1	The applicant shall pay per trip costs as indicated by Caltrans. This project's proportional share for signalization of SR 41 and Road 222 is \$5,056 (4 trips X \$1,264 = \$5,056)						
Utilities and Service Systems							

EXHIBIT I



ADMINISTRATIVE OFFICE
County Administrative Officer
559-675-7703

200 West 4th Street
Madera, CA 93637

Board of Supervisors

BRETT FRAZIER
District 1

DAVID ROGERS
District 2

RICK FARINELLI
District 3

MAX RODRIGUEZ
District 4

TOM WHEELER
District 5

October 28, 2016

Jamie Bax
Senior Planner
CED-Planning Division
200 W 4th Street
Madera, CA 93637

RE: S #2014-001, Bass Lake Subdivision

Dear Ms. Bax,

On November 3, 2014 the Board of Supervisors approved a tentative subdivision map for 21 residential lots on a County owned parcel at Bass Lake (APN 059-200-004). The tentative map is set to expire on November 3, 2016 and this letter is requesting a one (1) year extension of time for the map. The Subdivision Map Act (Government Code §66452.6) allows three (3) one (1) year extensions. A contract to sell the property was entered into which does not affect the map.

Please contact me with any questions or concerns.

Sincerely,

ERIC FLEMING
County Administrative Officer