



**REGULAR MEETING AGENDA
CITY OF MADERA
PLANNING COMMISSION**

**CITY HALL – COUNCIL CHAMBERS
TUESDAY
March 9, 2021
6:00 pm**

This meeting will be conducted pursuant to the provisions of the Governor’s Executive Order which suspends certain requirements of the Ralph M. Brown Act. Members of the public may participate in the meeting remotely through an electronic meeting in the following ways: via phone by dialing (669) 900-6833 enter ID: [93999150146#](tel:93999150146) followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/93999150146>. Public comment will also be accepted via email at planningcommissionpubliccomment@madera.gov.

CALL TO ORDER

ROLL CALL

Commissioner Robert Gran Jr. (Chairperson)
Commissioner Alex Salazar (Vice Chairperson)
Commissioner Richard Broadhead
Commissioner Ryan Cerioni
Commissioner Ramon Lopez-Maciel
Commissioner Rohi Zacharia
Commissioner Khubaib Sheikh

INTRODUCTION OF STAFF

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The first fifteen minutes of the meeting are reserved for members of the public to address the Commission on items which are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until the hearing is opened. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

MINUTES: December 8, 2020

PUBLIC HEARING ITEMS:

1. TSM 2018-07 EXT – Ellis & D St. Subdivision

A noticed public hearing to consider an application requesting a two-year extension of a previously approved Tentative Subdivision Map (TSM 2018-07). The map was first approved by the Commission on February 12, 2019. The parcels are located at the southwest corner of the intersection of North D St. and Ellis St. in the PD-6000 (Planned Development) Zone District with an LD (Low Density) General Plan land use designation (APN's: 003-200-006 & 007). A Negative Declaration was adopted for the approved Tentative Subdivision Map on February 12th, 2019. No further environmental review is required for the proposed extension.

2. VAR 2021-01 – Vallarta Monument Sign

A noticed public hearing to consider a variance to allow for a twenty foot (20') tall monument sign that will represent the anchor tenant, Vallarta Supermarket, and a secondary tenant (or tenants) on a future pad along Country Club Dr. The property is located on the northwest corner of Country Club Dr. and West Clark St. in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 003-210-018). This project is determined to be categorically exempt per CEQA Guidelines, Section 15311(a) Accessory Structures (on premise signs).

Staff is requesting this item be continued to the April 13th, 2021 Planning Commission meeting.

NON-PUBLIC HEARING ITEMS: None

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

The next regular meeting will be held on April 13, 2021.

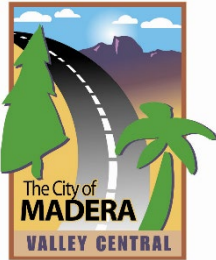
In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation in the public meeting should be made at least seventy-two (72) hours before the meeting. If you need special assistance to participate in a City meeting or other services offered by this City, please contact the Planning Department office at (559) 661-5430. Those who are hearing impaired, may call 711 or 1-800-735-2929 for TTY Relay Services. Any and all persons interested in this matter may provide comments.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera – Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

Pursuant to Section 65009 of the Government Code of the State of California, notice is hereby given that if any of the foregoing projects or matters is challenged in Court, such challenge may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

All Planning Commission actions may be appealed to the City Council. The time in which an applicant may appeal a Planning Commission action varies from 10 to 30 days depending on the type of project. The appeal period begins the day after the Planning Commission public hearing. There is NO EXTENSION for an appeal period.

If you have any questions or comments regarding this hearing notice, you may call the Planning Department at (559) 661-5430. Si usted tiene preguntas, comentarios o necesita ayuda con interpretación, favor de llamar el Departamento de Planeamiento por lo menos 72 horas antes de esta junta (559) 661-5430.



<p>CITY OF MADERA PLANNING COMMISSION</p>	<p>205 W. Fourth Street Madera CA 93637 (559) 661-5430</p>
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Staff Report: Ellis & D Street Tentative Subdivision Map Extension
TSM 2018-07 EXT
Item #1 – March 9, 2021

PROPOSAL: Consideration of a request for a two-year time extension of the Ellis & D Street Tentative Subdivision Map (TSM 2018-07), which allows for the creation of 61 single family residential lots. All previously approved conditions of approval remain in effect and three new conditions have been added. New conditions are: (1) Extending the life of the map for the requested two-year extension, (2) Requiring TSM 2018-07 to comply with City’s adoption of the Parkland Acquisition Ordinance Act authorizing the City to require dedication of parkland or the payment of fees in-lieu of such dedication in effect since May 21, 2018, and (3) Requiring via City and County agreement excavation of the Ellis Street Basin equivalent to the amount of storm water deposited from the subdivision during a 100-year, 10-day storm event.

APPLICANT:	Rick Langdon 5441 W Oakridge Ave Visalia, CA 93291	OWNER:	Hengli 2 LLC 177 E Colorado Blvd, Ste 200 Pasadena, CA 91105
SITE ADDRESS:	Vacant	APNs:	003-200-005 & 003-200-006
APPLICATIONS:	TSM 2018-07 EXT	CEQA:	Negative Declaration (Previously Adopted)

LOCATION: The subject site, composed of two parcels, is located at the southwest corner of the intersection of Ellis Street and North D Street.

STREET ACCESS: The subdivision will have access from both Ellis Street and North D Street

PROJECT SIZE: Approximately ten (10) acres

GENERAL PLAN DESIGNATION: LD (Low Density Residential)

ZONING DISTRICT: PD-6000 (Planned Development)

SITE CHARACTERISTICS: The project site is vacant with a few scattered non-native shrubs and one tree located in the southeastern corner of the site. Overhead pole mounted communications parallel the northern and easterly perimeter. The City limits form the site’s western, northern, and eastern property boundaries. Surrounding land uses include vacant land and large parcel rural residential uses to the north,

east, and west. Adjacent uses to the south include multiple religious worship centers and a gated senior housing apartment complex.

ENVIRONMENTAL REVIEW: This project has already been environmentally assessed and a Negative Declaration was adopted for the project as part of the original approvals by the Planning Commission on February 12, 2019. The impacts of the proposed two-year time extension are consistent with impacts anticipated during original approval. Therefore, no additional environmental analysis is required.

SUMMARY: The project is a two-year time extension of the previously approved Ellis & D Street Tentative Subdivision Map (TSM 2018-07) that allows for the creation of 61 single family residential lots. Applicant is requesting a two-year time extension of TSM 2018-07 as they work with City staff on review and approval of construction plans and the Final Map. Future proposed construction of homes will require approval of a Precise Plan as required of developments in Planned Development (PD) zone districts. All previously approved TSM 2018-07 conditions of approval remain in effect and three new conditions have been added. New conditions are: (1) Extending the life of the map for the requested two-year extension, (2) Requiring TSM 2018-07 to comply with City's adoption of the Parkland Acquisition Ordinance Act authorizing the City to require dedication of parkland or the payment of fees in-lieu of such dedication in effect since May 21, 2018, and (3) Requiring via City and County agreement excavation of the Ellis Street Basin equivalent to the amount of storm water deposited from the subdivision during a 100-year, 10-day storm event.

APPLICABLE CODES AND PROCEDURES

Madera Municipal Code §10-2.402.8.2 (Tentative Subdivision Map Extensions)
Government Code §66410 et. Seq. (Subdivision Map Act)

PRIOR ACTION

The subject properties were initially evaluated for a potential subdivision in September of 2018 through the Preliminary Project Review (PPR) process the City offers as a resource for anticipated projects. Based on the City's review of the applicant's PPR material submitted, the City provided a letter to the applicant of PPR 2018-10, Precision Engineering, outlining the application process for the subdivision along with potential conditions of approval the project would be expected to meet. Being that the property at the time was outside of the City Limits, the letter requested submittal of a prezone application in conjunction with the tentative subdivision map application as a precursor to annexation of the site to be considered by Madera Local Agency Formation Commission (LAFCo).

An application for a prezone (REZ 2018-08) and tentative subdivision map (TSM 2018-07) was received in December of 2018. Both applications, REZ 2018-08 and TSM 2018-07, were reviewed by staff and recommended for approval. At its regularly scheduled meeting on February 12, 2019, the Planning Commission adopted a Negative Declaration for the project and conditionally approved TSM 2018-08. The Commission also adopted a resolution recommending to the City Council adoption of REZ 2018-08 prezoning the subject site PD-6000 (Planned Development) Zone District.

First reading of the prezone was introduced to City Council on March 6, 2019 with direction given to staff to prepare a formal resolution to be brought back for Council action at a later hearing. At the regular

meeting of the City Council on March 20, 2019, the second reading of the zoning ordinance amendment was approved and adopted as Ordinance Number 961 C.S.

Annexation of the properties were approved by Madera LAFCo on April 24, 2019. The annexation included properties on the east side of North D Street, south of its intersection with Ellis Street. The inclusion of these properties was at the request of Madera LAFCo in efforts to create logical, consistent agency boundaries to maximize resource efficiency.

ANALYSIS

The approval date of the Ellis and D Street subdivision (TSM 2018-07) was established by the Planning Commission with its approval of the project at the February 12, 2019 meeting. Subdivision maps are valid for two years from the date of approval, making the expiration date for this map February 12, 2021. Madera Municipal Code (MMC) section 10-2.402.8.2 outlines the process for requesting extensions of subdivision maps, which states written request by the subdivider must be filed at least 15 days prior to expiration. The City received an application and written request by the subdivider on January 22, 2021 which meets the requirements of the MMC regarding this subdivision map extension request. The applicant's reason for extension is to continue working with City staff on review and approval of the final map for recording and construction plans in preparation of Precise Plan (PPL) submittal to the City.

All existing conditions of approval remain in effect as part of the original approvals by the Planning Commission. Staff is adding three conditions to the project: (1) clarify the expiration date of the map should the Planning Commission approve the map extension, (2) ensure compliance with the Quimby Act, which was introduced to the MMC in March of 2018, and (3) ensure the Ellis Street Basin has adequate capacity for the storm drain system of the subdivision.

The staff report prepared and presented to the Commission at the February 12, 2019 hearing included mention of the Quimby Act and the calculation for payment of park land in lieu of dedication. For clarity purposes, a condition would ensure compliance is achieved with this requirement. Addition of a condition expressing the date of expiration of the map would clearly identify the expiration should the land ownership change in the future.

A condition has also been added regarding the subdivision's storm drain system. As part of an agreement the City will enter with the County, the subdivision storm drain system will connect to an existing system which ultimately drains into the Ellis Street Basin. This agreement will require the subdivision to excavate the Ellis Street Basin for the equivalent amount of water deposited during a 100-year, 10-day storm event.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The applicant requests an extension of time for the previously approved Ellis and D Street Tentative Subdivision Map (TSM 2018-07). This project has already been environmentally assessed, and a Negative Declaration (ND) was adopted for the project by the Planning Commission as part of the original approvals on February 12, 2019. The setting for the project has not substantially changed since the adoption of the ND. No additional development in the area has occurred since the approval of TSM 2018-07 that would require additional environmental analysis of the project. The extension of time for a tentative subdivision map does not involve any physical changes in the environment and hence does not have the potential for causing a significant effect on the environment. No substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is no new information, which was not known and could not have been known at the time of the previous negative declaration that the project will have significant effect not discussed in the negative declaration. Finally, since a negative declaration was previously adopted for the considerations set forth in CEQA Guidelines § 15162(a)(3)(C) and (D), related to the adequacy and feasibility of previously adopted mitigation measures, are not applicable. Therefore, the adopted negative declaration is sufficient and pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required, no further environmental review is required.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

One of the Madera General Plan's vision is a well-planned city. This idea takes into considerations many of the growing needs of a City as it expands. Housing to support our growing population is a great way to encourage new family opportunities in Madera and make our City marketable. The infrastructure improvements to be fulfilled with this subdivision and homes built support this vision and will provide for the rapidly growing population.

RECOMMENDATION

The information presented in this report provides support of approval of a resolution approving a two-year time extension to the Tentative Subdivision Map 2018-07. It is recommended that the Commission consider the information in this report, as well as testimony received at the public hearing, and make a determination on TSM 2018-07 EXT, subject to the findings and conditions of approval below.

PLANNING COMMISSION ACTION

The Commission will be acting on a two-year time extension for Tentative Subdivision Map 2018-07 and determining to either:

- Adopt a resolution approving a two-year time extension for Tentative Subdivision Map TSM 2018-07 as conditioned (Motion 1); or
- Continue the hearing to April 13, 2021, with direction to staff to return with an updated resolution with appropriate findings modifying the conditions of approval: (Specify – Planning Commission should articulate reasons for modifications to findings and conditions of approval) (Motion 2); or
- Move to continue the application for a two-year time extension for TSM 2018-07 to the April 13, 2021 Planning Commission hearing with direction to staff to return with an updated resolution with appropriate findings for denial for the following reasons: (Specify – Planning Commission should articulate reasons for denial). (Motion 3).

Motion 1: Move to adopt a resolution of the Planning Commission of the City of Madera approving a two-year time extension for the previously approved Ellis and D Street Tentative Subdivision Map 2018-07, based on and subject to the findings and conditions of approval as follows:

Findings to Approve a Tentative Subdivision Map Extension (California Subdivision Map Act - Government Code Section 66474)

Finding a: There has been no changes to the provisions of the General Plan, any applicable specific plan or the development code applicable to the project since the approval of the tentative map.

Tentative Subdivision Map 2018-07 remains consistent and compatible with the City's General Plan land use designations for the subject site and surroundings. The subject site is not subject to an adopted Specific Plan.

Finding b: There has been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of the development code apply to the project.

Surrounding property existing conditions and uses remain relatively unchanged since the approval of the tentative subdivision map (TSM 2018-07). The project, with the approval of the three new additional conditions of approval, will remain consistent with the City's Zoning Ordinance.

Finding c: There have been no changes to the capacities of community resources, including but not limited to, water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.

Adequate service capacity remains available to service the subject site.

CONDITIONS OF APPROVAL (NEW)

22.1 Subdivider shall not pull an encroachment permit until the City and the County have a working draft, acceptable to both parties, of an agreement to allow the subdivision to connect to the existing storm conveyance system which ultimately drains into the Ellis Street Basin to the west of the project site. As part of the agreement, the Subdivider shall excavate the basin for the equivalent amount of water deposited into the basin during a 100-year, 10-day storm event.

75.1 Subdivider shall provide and dedicate to the City parkland within the subdivision to the satisfaction of the City or provide payment of fees in-leu of such dedication in accordance with the City's Parkland Acquisition Ordinance.

79.1 Approval of TSM 2018-07 EXT allows for a two-year time extension for the previously approved Ellis and D Street Tentative Subdivision Map 2018-07. The approval shall expire on February 12, 2023.

(OR)

Motion 2: Move to continue the public hearing on a two-year time extension for TSM 2018-07 to the April 13, 2021 Planning Commission meeting with direction to staff to return with an updated resolution with appropriate findings for the following reasons: (Specify – Planning Commission should articulate reasons for modifications to findings and conditions of approval)

(OR)

Motion 3: Move to continue the application for a two-year time extension on TSM 2018-07 to the April 13, 2021 Planning Commission meeting with direction to staff to return with an updated resolution with appropriate findings for denial for the following reasons: (Specify – Planning Commission should articulate reasons for denial.)

ATTACHMENTS

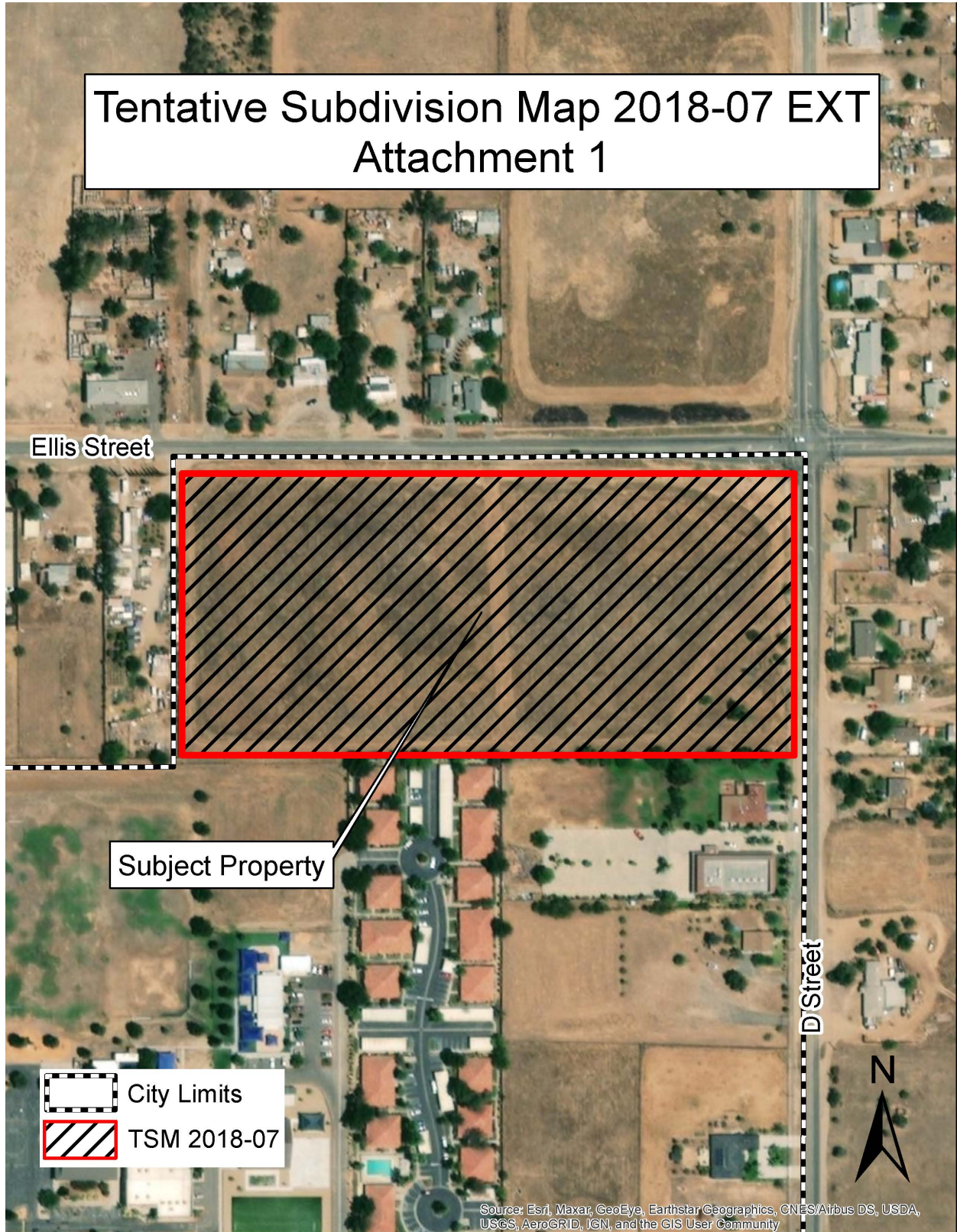
Attachment 1: Aerial Photo

Attachment 2: Tentative Subdivision Map 2018-07

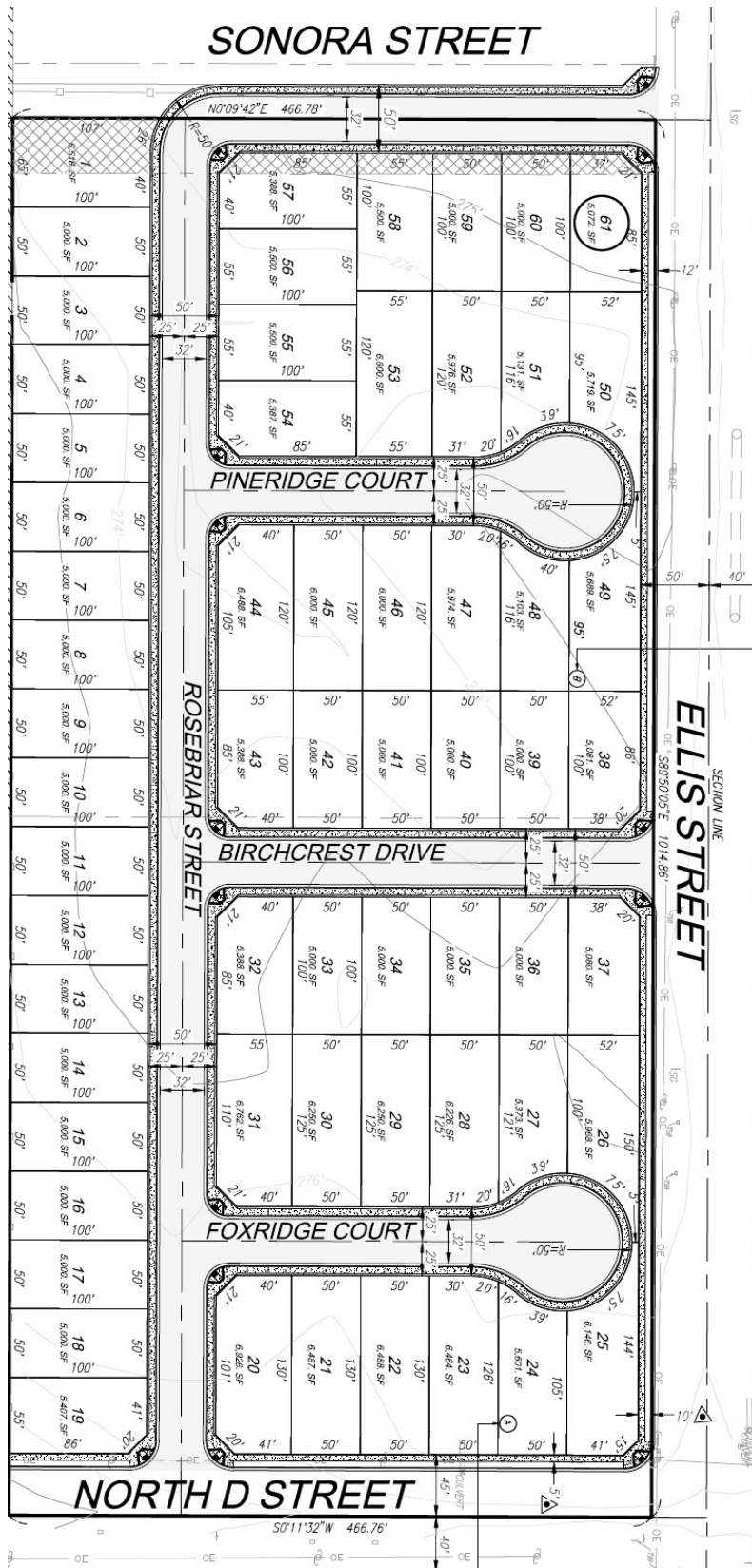
Attachment 3: Negative Declaration for Tentative Subdivision Map 2018-07

Attachment 4: Planning Commission Resolution for TSM 2018-07 EXT (Including Conditions of Approval)

Attachment 1: Aerial Map



Attachment 2: Tentative Subdivision Map 2018-07



Attachment 3: Negative Declaration for Tentative Subdivision Map 2018-07

Available by clicking on the link below

<https://www.madera.gov/home/departments/planning/#tr-current-projects-environmental-review-2436011>

Attachment 4: Planning Commission Resolution for TSM 2018-07 EXT

RESOLUTION NO. 1876

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA
APPROVING A TWO-YEAR TIME EXTENSION FOR THE ELLIS AND NORTH D
STREET TENTATIVE SUBDIVISION MAP 2018-07 (TSM 2018-07 EXT)**

WHEREAS, Planning Commission of the City of Madera on February 12, 2019 adopted a Negative Declaration and approved the Ellis and North D Street Tentative Subdivision Map (TSM 2018-07) to subdivide approximately 10 acres north of City Limits to create 61 single family lots; and

WHEREAS, Government Code §56375 outlines prezone requirements to in order to apply for annexation with the County Local Agency Formation Commission; and

WHEREAS, Planning Commission of the City of Madera on February 12, 2019 adopted a Negative Declaration and resolution recommending to the City Council of the City of Madera adoption of REZ 2018-08 prezoning the subject site to the PD-6000 Zone District; and

WHEREAS, first reading of REZ 2018-08 was introduced to the City Council of the City of Madera on March 6, 2019 with direction provided to return for a second reading of the Zoning Ordinance Amendment; and

WHEREAS, second reading of REZ 2018-08 was considered by the City Council of the City of Madera at a regular meeting on March 20, 2019 and was approved and adopted as Ordinance Number 961 C.S.; and

WHEREAS, annexation of TSM 2018-07 and adjacent properties to form logical, consistent agency boundaries was considered and approved by the Madera Local Agency Formation Commission on April 24, 2019; and

WHEREAS, prior to the expiration of TSM 2018-07 on February 11, 2021, the City of Madera Planning Department received an application and written request on January 22, 2021, from Rick Langdon, representing applicant on behalf of Hengli 2, LLC who filed a request for a two-year extension on TSM 2018-07; and

WHEREAS, based on a preliminary environmental assessment, this TSM 2018-07 EXT was determined to be consistent with the Negative Declaration prepared and adopted for the original Ellis and North D Street Tentative Subdivision Map and no further analysis is required; and

WHEREAS, under the City's Municipal Code, the Planning Commission is authorized to review and approve tentative subdivision map extensions on behalf of the City; and

WHEREAS, the City provided notice of the Planning Commission hearing as required by law; and

WHEREAS, the Planning Commission received and reviewed TSM 2018-07 EXT at a duly noticed meeting on March 9, 2021; and

WHEREAS, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

WHEREAS, the Planning Commission now desires to approve TSM 2018-07 EXT with three new additional conditions. All conditions of approval for TSM 2018-07 remain in effect; and

NOW THEREFORE, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: This project has been previously assessed. Planning Commission finds that pursuant to CEQA Guidelines Section 15162 subsequent environmental review is not required for TSM 2018-07 EXT based on the following:
 - a. No substantial changes are proposed in the project which will require major revisions of the previous negative declaration (ND) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, TSM 2018-07 maintains the same density, intensity and is otherwise consistent with the development originally proposed for the subject site as contemplated by the ND. As such, no further environmental review is necessary or required.
 - b. No substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, TSM 2018-07 is consistent with the originally approved tentative map that was assessed by the ND and there are no new substantial changes in the physical environment that were not anticipated in the ND, including its analysis in light of development contemplated in the General Plan.
 - c. There is no new information, which was not known and could not have been known at the time of the previous ND that the project will have significant effect not discussed in the ND. The project will not have any more significant effects than that already discussed and assessed in the ND. As a negative declaration was previously adopted for the considerations set forth in CEQA Guidelines § 15162(a)(3)(C) and (D), related to the adequacy and feasibility of previously adopted mitigation measures, are not applicable.

Based upon these findings, it has been determined that no further environmental documents is required for TSM 2018-07 EXT.

3. Findings for TSM 2018-07 EXT: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of TSM 2018-07 EXT, as conditioned. With the conditions, the project is consistent with the requirements of the Municipal Code, including Sections 10-2.402.8.1 and 10-2.402.8.2. The Planning Commission further approves, accepts as its own, incorporates as if set

forth in full herein, and makes each and every one of the findings, based on the evidence in the record, as follows:

- a. *There have been no changes to the provisions of the General Plan, any applicable specific plan or the development code applicable to the project since the approval of the tentative map.*

Tentative Subdivision Map 2018-07 remains consistent and compatible with the City's General Plan land use designations for the subject site and surroundings. The subject site is not subject to an adopted Specific Plan.

- b. *There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of the development code apply to the project.*

Surrounding property existing conditions and uses remain relatively unchanged since the approval of the tentative subdivision map (TSM 2018-07). The project, with the approval of the three new additional conditions of approval, will remain consistent with the City's Zoning Ordinance.

- c. *There have been no changes to the capacities of community resources, including but not limited to, water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.*

Adequate service capacity remains available to service the subject site.

- 4. Approval of TSM 2018-07 EXT: Given that all findings can be made, the Planning Commission hereby approves TSM 2018-07 EXT as conditioned as set forth in the Conditions of Approval attached as Exhibit "A." Tentative Subdivision Map 2018-07 shall now expire on February 12, 2023, unless otherwise timely extended.
- 5. Effective Date: This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 9th day of March 2021, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Robert Gran Jr.
Planning Commission Chairperson

Attest:

Gary Conte, AICP
Planning Manager

EXHIBIT "A"
TSM 2018-07 EXT (ELLIS AND NORTH D STREET TENTATIVE SUBDIVISION MAP)
(AMENDED MARCH 2021)
CONDITIONS OF APPROVAL

General Conditions

1. The approval of TSM 2018-07 shall be contingent upon completion of the annexation of seven properties (APNs: 038-070-012, 038-082-001, 038-090-002, 038-090-003, 038-090-004, 038-090-005, 038-090-006). The annexation shall be completed by no later than February 12, 2020. If the annexation is not completed by the allotted date or by an extension thereof, the approval of TSM 2018-07 shall be null and void.
2. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within 30 days of the date of approval.
3. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.

Engineering Department

General

4. Prior to recordation of the final map, the applicant shall, at their sole expense, annex the subdivision property into Community Facilities District (CFD) 2005-01 and pay all applicable fees. All properties included within the subdivision shall be made a part of CFD 2005-01 and subject to its taxes.
5. A final subdivision map shall be required per Section 10-2.502 of the MMC. If the project is phased, the phasing pattern is subject to approval by the City Engineer to ensure that the applicable conditions of approval are satisfied.
6. All lots are to be numbered in sequence throughout the entire subdivision, including all phases, with the last lot in each phase circled for identification. As an alternative, subject to the approval of the City Engineer, lots may be numbered in sequence within blocks that are also separately identified. A consecutive subdivision name and a consecutive phase number shall identify multiple final maps filed in accordance with an approved tentative map.
7. A benchmark shall be established per City standards and related data shall be submitted to the Engineering Department prior to acceptance of the subdivision improvements. The location of the benchmark shall be approved by the City Engineer.

8. All construction vehicles shall access the site by a route approved by the City Engineer that minimizes potential damage to other streets and disruption to the neighborhood. A construction route and traffic control plan to reduce impact on the traveling public shall be approved prior to any site construction or initiation of work within a public right-of-way.
9. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
10. Impact fees shall be paid at time of building permit issuance.
11. Improvement plans sealed by an engineer shall be submitted to the Engineering Department according to the engineering plan review submittal sheet and civil plan submittal checklist.
12. The developer shall pay all required fees for processing the subdivision map and completion of the project. Fees due include, but shall not be limited to, the following: subdivision map review and processing fee, plan review, map recordation and improvement inspection fees.
13. Improvements within the City's right-of-way require an encroachment permit from the Engineering Department.
14. The improvement plans for the project shall include the most recent version of the City's General Notes.

Sewer

15. The developer shall construct a 21-inch sewer main along Ellis Street, starting from North D Street and extending to the westerly property line of the project site. The sewer main shall be designed and constructed in accordance with the City standard location within the street and preliminary design elevation on file at the City. Inability to construct sewer improvements to City standards within the subdivision that adequately direct flow to North D Street may require construction of a 21-inch sewer main on Ellis Street, starting from North D Street and extending to Country Club Drive.
16. The oversize component (difference in cost between the 21-inch and 8-inch pipe) of the construction of this line is considered reimbursable, subject to the availability of funds in the City's Development Impact Fee program. Half of the 8-inch component is reimbursable from adjacent properties as they develop and connect. Any reimbursement agreement requires approval of the City Council.
17. Sewer lines installed to serve this subdivision shall be sized accordingly and shall be a minimum of eight inches in diameter. Sewer main connections to any existing City main

that is six inches or larger in diameter shall require the installation of a manhole. All sewer mains shall be air-tested, mandrelled and videotaped after the trench compaction has been approved and prior to paving. DVD's shall be submitted to the City Engineer and be approved prior to paving with all costs to be borne by the subdivider.

18. Sewer services shall be located at the approximate centerline of each lot with a clean-out installed per City standards and identified on the curb face. Termination of service shall be ten feet past the property line. Where contiguous sidewalks are installed, the four-inch sewer cleanout shall be located eighteen inches back of sidewalk in a dedicated public utility easement. Sewer cleanouts shall not be located within sidewalk or approach areas unless approved by the City Engineer. Sewer services shall be installed ten feet beyond the property lines as part of the sewer system installation for testing purposes.
19. Existing septic tanks, if found, shall be removed pursuant to issuance of a permit and inspection by the City of Madera Building Department.
20. The developer shall reimburse its fair share cost to the City for the previously constructed sewer main along the project property frontage on North D Street prior to issuance of the encroachment permit for all off-site improvements.

Storm Drain

21. Storm runoff from this project site is planned to go to the Ellis Basin located northwest of the project site. Through the preparation of a hydrology study or appropriate runoff volume calculations, the developer shall illustrate how runoff from the site will be accommodated in the roadway section or storm conveyance facilities in conformance with the Storm Drainage Master Plan. The developer shall also excavate the Ellis Basin to an amount equivalent to this project's impact on the basin. The developer shall construct the following master-planned improvements:
 - a. 42-inch storm sewer main along Ellis Street, starting from North D Street and extending to approximately 540 feet west of North D Street;
 - b. 48-inch storm sewer main along Ellis Street, starting from approximately 540 feet west of North D Street to the Ellis Basin;
 - c. A pipe of size to be determined as part of the drainage study along project frontage on North D Street.

The construction of these storm drain lines is considered 100 percent reimbursable, subject to the availability of funds in the City's Development Impact Fee program. Any reimbursement agreement requires approval of the City Council.

22. This project shall comply with the design criteria as listed on the National Pollutant Elimination Systems (NPDES) General Permit for Storm Water Discharges from Small

Municipal Separate Storm Sewer System (MS4's), as mandated by Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS0000004.

- 22.1 Subdivider shall not pull an encroachment permit until the City and the County have a working draft, acceptable to both parties, of an agreement to allow the subdivision to connect to the existing storm conveyance system which ultimately drains into the Ellis Street Basin to the west of the project site. As part of the agreement, the Subdivider shall excavate the basin for the equivalent amount of water deposited into the basin during a 100-year, 10-day storm event.

Streets

23. The developer shall not oppose annexation into Landscape Maintenance District (LMD) Zone 51 (See Attachment 3) to include the median island and landscape improvements to be constructed on Ellis Street and North D Street. If the annexation into LMD Zone 51 is not attainable, the developer shall, at their sole expense, form a new LMD zone for park strip landscaping adjacent to the subdivision. The subdivider shall sign and submit a landscape district formation and inclusion form, an engineer's report and map prior to recordation of any final map.
24. Prior to the approval of any final map, the developer shall submit a cash deposit in an amount sufficient to maintain lighting and landscaping within the required LMD Zone 51 or new LMD zone for a period of one year. The specific amount of the deposit shall be determined by the City Engineer and be established based on landscape plans approved by the Parks and Community Services Department and the engineer's report for the required improvements. The deposit will be used to maintain landscaping improvements, existing and new improvements required to be constructed by the developer and included within the Citywide LMD, after the improvements for the subdivision have been approved, but before any revenues are generated by the assessment district to pay for the maintenance of the landscape. Any funds deposited by the developer and not required by the Parks and Community Services Department for maintenance of eligible landscaping shall be refunded to the developer.
25. Ellis Street shall be developed to a 100-foot street with a ten-foot sidewalk pattern and a sixteen-foot landscape median across the frontage of the subdivision. The southern half shall include, but not be limited to, fire hydrants, streetlights, curb and gutter, park strip and sidewalk. The northern half shall include one permanently paved twelve-foot lane and four-foot shoulder and asphalt dike as depicted on the tentative map. Adequate transition with the existing improvements relative to grade and alignment shall be provided. All improvements shall be constructed per current City standards. The center three lanes (40-feet total), which include the median island, are eligible for reimbursement through the City's Impact Fee program, subject to the availability of funds.

26. North D Street shall be developed to an 80-foot street with a ten-foot sidewalk pattern. The western half shall include, but not be limited to, fire hydrants, streetlights, curb and gutter, park strip and sidewalk. The eastern half shall include one permanently paved twelve-foot lane and four-foot shoulder and asphalt dike as depicted on the tentative map. Adequate transition with the existing improvements relative to grade and alignment shall be provided. All improvements shall be constructed per current City standards. The center three lanes (36 feet total) are eligible for reimbursement through the City's Impact Fee program, subject to the availability of funds.
27. Interior streets shall be constructed in accordance with City standards for a 50-foot residential street, including a five-foot sidewalk, curb and gutter, streetlights, fire hydrants and all other components necessary to complete construction per City standards.
28. Access to the subdivision shall be limited to three access points: one on North D Street and two on Ellis Street. Access points shall be a minimum of 150 feet from the curb line of the intersection of Ellis Street and North D Street.
29. The eastern-most access point on Ellis Street shall be only limited to right-in, right-out turn movements.
30. The developer shall construct concrete sidewalk along the entire project parcel frontages along Ellis Street and North D Street per City standards.
31. "No Parking" signs shall be installed along Ellis Street and North D Street project parcel frontages per City standards.
32. The developer shall install metered streetlights along Ellis Street, North D Street and all interior subdivision streets in accordance with current City spacing standards. Streetlights shall be LED using Beta Lighting standards or equal in accordance with City of Madera standards.
33. An Offer of Dedication shall be made to dedicate sufficient right-of-way along the entirety of the parcel's frontage on Ellis Street to provide a half-street width of 50 feet, south of the center line, to accommodate for an arterial standard roadway.
34. An Offer of Dedication shall be made to dedicate sufficient right-of-way along the entirety of the parcel's frontage on North D Street to provide a half-street width of 40 feet, west of the center line, to accommodate for a collector standard roadway.
35. The developer shall dedicate a ten-foot wide Public Utility Easement (PUE) along the entire project parcel frontages on all internal subdivision streets.
36. Access ramps shall be installed at all curb returns per City standards.

37. Traffic calming features, as approved by the City Engineer, shall be implemented throughout the interior subdivision streets. The maximum distance between calming devices shall be 300 feet.
38. Except for streets not having direct residential access, installation of sidewalks and approaches may be deferred and constructed at the builder's expense with residential development after the acceptance of the subdivision improvements. Each dwelling shall, at occupancy, have full, uninterrupted ADA access from the front door to the nearest collector street, arterial street or other street that provides ADA access provisions. Provisions for construction in conjunction with building permits shall be established as part of the improvement plan approval and subdivision agreement, and bonding for uncompleted work in conjunction with the subdivision's public improvements will not be required.
39. If developed in phases, each phase shall have two points of vehicular access within a recorded easement for fire and other emergency services personnel. An all-weather access road shall be two inches of type "A" asphalt over six inches of 90 percent compacted native soil or four inches of Class II aggregate base capable of withstanding 40,000 pounds of loading. A maintenance covenant and easement along with associated fees shall be recorded prior to recordation of the final map for any phased development.
40. Improvement plans prepared in accordance with City standards by a registered civil engineer shall be submitted to the City Engineer for review and approval on 24-inch by 36-inch tracing paper with the City of Madera logo on the bottom right corner. The cover sheet shall indicate the total lineal feet of all streets, street water main lineal feet, sewer line lineal feet, fire hydrant(s) and quantities of all improvements installed and constructed for each phase respectively, as well as containing an index schedule. This subdivision is subject to the City standards. The plans shall include the City of Madera title block and the following:
 - a. Detailed site plan with general notes, including the location of any existing wells and septic tanks;
 - b. Street plans and profiles, including drainage ditches, culverts and other structures (drainage calculations to be submitted with the improvement plans), streetlights, traffic signals and construction details to include traffic signage and a striping plan;
 - c. Water and sewer plans (sewage flow and water demand calculations to be submitted with the improvement plans);
 - d. Grading plan indicating flood insurance rate map community panel number and effective date;
 - e. Landscape and irrigation plans for the Ellis Street median, Ellis Street and North D Street frontages, prepared by a landscape architect;

- f. Storm water pollution control plan and permit;
 - g. Itemized quantities of the off-site improvements to be dedicated to the City.
41. Submittals shall include:
- a. Engineering plan review submittal sheet;
 - b. Civil plan submittal checklist;
 - c. Four copies of the final map;
 - d. Two sets of traverse calculations;
 - e. Two preliminary title reports;
 - f. Two signed copies of conditions;
 - g. Six sets of complete improvement plans;
 - h. Three sets of landscaping plans;
 - i. Two sets of drainage calculations;
 - j. Two copies of the engineer's estimate;

Partial submittals will not be accepted by the Engineering Department.

42. All utilities (water, sewer, electrical, phone, cablevision, etc.) shall be installed prior to curb and gutter installation. Trench compaction shall be as required for curb and gutter installation. If curb and gutter is installed prior to utility installation, all trenches shall be back-filled with a three-sack sand slurry mix extending one foot past the curb and gutter in each direction.
43. The applicant shall coordinate with the pertinent utility companies as required regarding establishment of appropriate easements and undergrounding of service lines. A ten-foot public utility easement shall be required along all interior lot frontages.
44. All public utilities shall be undergrounded, except transformers, which may be mounted on pads. Public utility easements shall be dedicated outside and adjacent to all street rights-of-way. All public utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by the Public Utilities Commission regulations or operating at 70,000 volts or greater.
45. A preliminary title report and plan check fees along with the engineer's estimated cost of installing the subdivision improvements shall be submitted with the initial improvement plan submittal. Inspection fees shall be paid prior to initiating construction.
46. A final soils report including "R" values in future streets prepared by a registered civil engineer in accordance with the California Health and Safety Code shall be submitted for review prior to the approval of the improvement plans and the filing of the final

map, if required by the City Engineer. The date and name of the person preparing the report shall be noted on the final map.

47. The subdivider shall enter into a subdivision agreement in accordance with the MMC prior to recordation of the final map. The subdivision agreement shall include for deposit with the City a performance bond, labor bond, material bond, cash bond or other bonds as required by the City Engineer, prior to acceptance of the final map.
48. The subdivider may commence off-site construction prior to approval of the final map in accordance with Section 7-2.02 of the MMC, an encroachment permit, provided improvement plans are approved and submitting a 100 percent performance bond, additional bond (50 percent labor and material) and insurance certificate, shall be submitted prior to initiating any construction work within any street or right-of-way which is dedicated or proposed to be dedicated by the subdivision. The encroachment permit fee is determined by the City of Madera Development Application Fees as approved by the City Council and paid at the time of permit issuance.
49. The developer's engineer, upon completion of subdivision-related improvements, shall certify to the City Engineer that the improvements are completed in accordance with City requirements and the approved plans. As-built plans detailing final existing conditions and actual grades of all improvements and facilities shall also be submitted prior to acceptance of the subdivision improvements by the City.

Water

50. The water system shall be designed to meet the required fire flow for this type of development, shall be approved by the Fire Department and shall be operational prior to any framing construction on-site. Fire flows shall be determined by Uniform Fire Code Appendix III-A.
51. Unless the City Engineer or fire flow analysis specifies larger lines, water lines, a minimum of eight inches in diameter shall be installed in all streets. Water main installation shall be per City of Madera installation procedures and guidelines. Any new water main or fire hydrant line installation of eighteen feet or more shall be sterilized in accordance with the water main connection procedures, including the temporary use of a reduced pressure assembly. Water service connections shall be required to be hot-tap type connection to the existing City main. If the subdivision is constructed in phases, blow-offs shall be required at each termination point.
52. The developer shall construct a 24-inch water main along Ellis Street, starting from North D Street and extending to the westerly property line of the project parcels. The water main shall be constructed to current City standards, including butterfly valves. The oversize component (difference in cost between 24-inch and 8-inch pipe) of the construction of this line is considered reimbursable, subject to the availability of funds

in the City's Development Impact Fee program. Half of the eight-inch component is reimbursable from adjacent properties as they develop and connect.

53. Prior to beginning any framing construction, approved fire hydrants shall be installed in accordance with spacing requirements for residential development (400 feet). A copy of the preliminary water and hydrant location plan shall be provided to the City Engineer and the Fire Protection Planning Officer for review and approval. Fire hydrants shall be constructed in accordance with City Standard W-26. Fire hydrant pavement markers shall be installed as soon as the permanent pavement has been installed.
54. Water services shall be placed three feet from either property line, opposite of street light and fire hydrant installations, installed and tested at the time the water main is installed and identified on the curb face. Water meters shall not be located within driveway approaches or sidewalk areas. Water services shall not be located at fire hydrant or streetlight locations.
55. One water quality sampling station shall be installed within the subdivision and approved by the Public Works Department.
56. All water sources used for construction activities shall have an approved back-flow device installed. All water trucks/storage tanks shall be inspected for proper air gaps or back-flow prevention devices.
57. Water service connections shall be constructed per current City standards including water meters located within the City's right-of-way.
58. Existing wells, if any, shall be abandoned as directed and permitted by the City of Madera for compliance with State standards.
59. Water connections not serving a residence shall be constructed per current City standards, including water meters located within the City's right-of-way and backflow prevention device in private property.
60. The developer shall reimburse its fair share cost to the City for the previously constructed water main along the project frontage along North D Street prior to issuance of the encroachment permit for all off-site improvements.

Subdivision Improvement Inspections

61. The Engineering Department plan check and inspection fees along with the engineer's estimated cost of installing off-site improvements shall be submitted along with the improvement plans. Inspection fees shall be due at time that all other fees are due per the subdivision agreement.

62. Prior to the installation of any improvements or utilities, the general contractor shall notify the Engineering Department 48 hours prior to construction. The inspector will verify prior to inspection that the contractor requesting inspection is using plans signed by the City Engineer.
63. No grading or other construction activities, including preliminary grading on-site, shall occur until the City Engineer approves the improvement plans or grading plans. The inspector shall verify, prior to inspection, that the contractor requesting inspection is using plans signed by the City Engineer.
64. No occupancy of any buildings within the subdivision shall be granted until subdivision improvements are completed to the satisfaction of the City Engineer. After request for a final improvement inspection, the generation of a written punch list will require a minimum five working days.

Special Engineering Conditions

65. Project grading shall not interfere with the natural flow or adjacent lot drainage and shall not adversely impact downstream properties. Grading plans shall indicate the amount of cut and fill required for the project, including the necessity for any retaining walls. Retaining walls, if required, shall be approved as to design and calculations prior to issuance of a grading permit.
66. Lot fill more than twelve inches shall require a compaction report prior to issuance of any building permits. Soil shall not slope onto any adjacent property. Lot grade elevation differences with any adjacent properties of twelve inches or more will require construction of a retaining wall.
67. Retaining walls, if required, shall be constructed of concrete blocks. Design calculations, elevations and locations shall be shown on the grading plan. Retaining wall approval is required in conjunction with grading plan approval.
68. Prior to the issuance of any building permits or any construction on the subdivision, a storm water pollution plan shall be prepared, and a storm water permit obtained as required by the State Regional Water Quality Control Board for developments of over one acre in size.
69. Any construction work on Madera Irrigation District (MID) facilities shall not interfere with either irrigation or storm water flows or MID operations. Prior to any encroachment upon, removal or modification of MID facilities, the subdivider shall submit two sets of preliminary plans for MID approval. Permits shall be obtained from MID for said encroachments, removal or modification. Upon project completion, as-built plans shall be provided to MID. Abandonment of agricultural activities shall require removal of MID facilities at the owner's expense. Turnouts and gates shall be salvaged and returned to the MID yard.

70. Prior to recordation of the subdivision map, any current and/or delinquent MID assessments, plus estimated assessments for the upcoming assessment (calendar) year, as well as any outstanding crop water charges, standby charges or waiver fees shall be paid in full. Assessments are due and payable in full November first of the year preceding the assessment year.
71. The applicant shall coordinate with the United States post office relative to the proposed location of the postal boxes for the project. In regard to this project, all adjacent sidewalks shall retain a minimum clear walkway of five feet.

Fire Department

72. The subdivision shall provide a minimum of two means of fire access with compliant fire roads in accordance with the California Fire Code (CFC).
73. Fire hydrants shall be placed in accordance with the CFC and City of Madera regulations.

Planning Department

General

74. Conformance with the goals and policies of the General Plan shall be facilitated through the precise plan process. Prior to recordation of the tentative subdivision map, the applicant shall submit an application for a precise plan with submittals sufficient to make findings of General Plan conformance. The applicant shall submit proposed model floor plans and elevations as a component of the application.
75. Vandalism and graffiti on walls and/or fences shall be corrected pursuant to the MMC.
- 75.1 Subdivider shall provide and dedicate to the City parkland within the subdivision to the satisfaction of the City or provide payment of fees in-leu of such dedication in accordance with the City's Parkland Acquisition Ordinance.

Street Names

76. The internal street names of the subdivision shall be as follows:
 - Sonora Street
 - Pineridge Court
 - Birchcrest Drive
 - Foxridge Court
 - Rosebriar Street

Tentative Subdivision Map

77. There shall be no direct access provided on all properties along the perimeter (Ellis Street and North D Street) of the subdivision. This includes lots 19, 20-26, 37-38, 49-50 and 61.

78. The following lots will only take direct access to the following streets within the subdivision:

- Sonora Street: Lots 58-61
- Pineridge Court: Lots 44-53
- Birchrest Drive: Lots 32-43
- Foxridge Court: Lots 20-31
- Rosebriar Street: Lots 1-19 and 54-57

79. Prior to map submittal, the applicant shall provide clarification of the Sonora Street easement. If specific restrictions exist that do not allow for any private development within the easement, the applicant shall submit for an amendment to the tentative subdivision map to the Planning Department and approved by the Planning Commission.

79.1 Approval of TSM 2018-07 EXT allows for a two-year time extension for the previously approved Ellis and D Street Tentative Subdivision Map 2018-07. The approval shall expire on February 12, 2023.

Fences and Walls

80. A six-foot tall decorative split-faced masonry block wall with capstone shall be constructed along all property lines that abut Ellis Street and North D Street.

81. For lots 19, 37-38 and 61, the construction of the first fifteen feet of the wall, starting at the front property line, shall be three feet in height. The remaining section of the wall shall be six feet in height.

82. For lot 20, the wall shall be constructed to extend from the rear property line along the exterior side property line. Within the first fifteen feet of this extension, starting at the front property line, the wall shall be three feet in height. The remaining section of the wall shall be six feet in height.

VAR 2021-01 – Vallarta Monument Sign

Staff is requesting this item be continued to the April 13, 2021 Planning Commission meeting.