

REGULAR MEETING OF THE MADERA PLANNING COMMISSION

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

**Tuesday, April 8, 2025
6:00 p.m.**

**Council Chambers
City Hall**

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 82804508732# followed by *9 on your phone when prompted to signal you would like to speak, or by computer at <https://www.zoom.us/j/82804508732>. Comments will also be accepted via email at planningcommissionpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

ROLL CALL:

Chairperson Robert Gran Jr.
Vice Chair Ramon Lopez-Maciell
Commissioner Tim Riche
Commissioner Abel Perez
Commissioner Balwinder Singh
Commissioner Saim Mohammad
Commissioner Jose Eduardo Chavez

INTRODUCTION OF STAFF:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

PUBLIC COMMENT:

The first 15 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 that item is called. 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.

PUBLIC HEARINGS:

1. CUP 2025-02 & SPR 2025-05 – Elora Salon (Cosmetic Tattooing) (Report by Will Tackett)

Subject: Consideration of an application for a Conditional Use Permit and Site Plan Review to authorize cosmetic tattoos in conjunction with a previously approved salon and day spa use located on the northwest corner of the intersection of Howard Rd. and Fairview Ave. at 1603 Howard Rd. (APN: 009-082-020). The site is zoned C1 (Light Commercial) and designated C (Commercial) in the City of Madera General Plan.

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the Planning Commission of the City of Madera determining the project is Categorically Exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines and approving Conditional Use Permit (CUP) 2025-02 and Site Plan Review (SPR) 2025-05, subject to the findings and conditions of approval.

2. PPL 2025-01 – Vineyard West III (Report by Adi Rueda)

Subject: Consideration of an application for a Precise Plan to establish development standards for the Vineyard West Phase III Planned Development Subdivision located at the northwest corner of the intersection of Sunset Ave. and Caitlan Dr.

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the City of Madera Planning Commission determining the project was previously assessed for compliance with the requirements of the California Environmental Quality Act (CEQA) and no further documentation is required; and, approving Precise Plan (PPL) 2025-01, subject to the findings and conditions of approval.

3. PPL 2024-04 & TSM 2024-05 – Tozer III Subdivision (Report by Robert Smith)

Subject: Consideration of an application for a Precise Plan and Tentative Subdivision Map proposing a 168-lot single family residential planned development and subdivision of ±29.085 acres of property (APN: 011-370-005) located on the east side of Tozer St. (Rd. 28) between Avenue 13 ½ and E. Pecan Ave. (Avenue 13). The proposed site is planned for Medium Density Residential and Neighborhood Mixed Use by the City of Madera General Plan and is zoned PD-6000 (Planned Development – one unit per 6,000 sq. ft. of site area).

Recommendation:

Conduct a public hearing and adopt:

- a. A Resolution of the Planning Commission of the City of Madera adopting the Mitigated Negative Declaration (SCH No. 2025030734) and the Mitigation Monitoring

and Reporting Program prepared for purposes of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines; and approving TSM 2024-05 and PPL 2024-04, subject to the findings and conditions of approval.

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

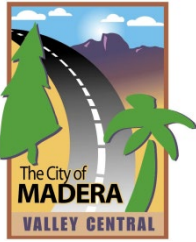
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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the Planning Department's Office at (559) 661-5430 or emailing planninginfo@madera.gov. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: Planning Department, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the Planning Department at (559) 661-5430 or emailing planninginfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.

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.



REPORT TO THE PLANNING COMMISSION

Prepared by:

Will Tackett, Community Development Director

Meeting of: April 8, 2025

Agenda Number: 1

SUBJECT:

Consideration of an application for a Conditional Use Permit (CUP 2025-02) and Site Plan Review (SPR 2025-05) requesting authorization to allow permanent makeup artists to provide cosmetic tattoos in conjunction with a previously approved salon and day spa use located on the northwest corner of the intersection of Howard Road and Fairview Avenue at 1603 Howard Road (APN: 009-082-020).

RECOMMENDATION:

Conduct a public hearing and adopt:

1. A Resolution of the Planning Commission of the City of Madera determining the project is Categorically Exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines and approving Conditional Use Permit (CUP) 2025-02 and Site Plan Review (SPR) 2025-05, subject to the findings and conditions of approval.

SUMMARY:

The applicant and property owner, Yvonne Alvarado, has filed an application for a Conditional Use Permit (CUP) 2025-02 and Site Plan Review (SPR) 2025-05 requesting authorization to allow an existing and previously approved salon and day spa use located on the northwest corner of the intersection of Howard Road and Fairview Avenue at 1603 Howard Road (APN: 009-082-020), the “project site,” to also operate as a body art facility, limited to the provision of permanent cosmetic tattooing services.

The subject applications propose no physical changes to the subject property. Any future site modifications would be subject to additional site plan review; any tenant improvements are subject to acquisition of building permits as may be required in accordance with the California Building Code.

The project site is zoned C1 (Light commercial) and is designated for Commercial land uses by the Madera General Plan.

Table 1 below provides a brief overview of the entitlement request, project applicant, project location and site characteristics.

Table 1: Project Overview	
<i>Project Number:</i>	CUP 2025-02 and SPR 2025-05
<i>Applicant & Property Owner:</i>	Yvonne Alvarado
<i>Location:</i>	1603 Howard Road / (APN: 009-082-020)
<i>Project Area:</i>	±0.3 acres / ±13,068 square feet
<i>Land Use:</i>	C (Commercial)
<i>Zoning District:</i>	C1 (Light Commercial)
<i>Site Characteristics:</i>	The project site is a developed commercial site with existing structures, off-street parking facilities, landscaping and public improvements.

BACKGROUND:

On November 16, 1999, the City of Madera Planning Department approved Site Plan Review No. XII-99-15 authorizing conversion of an existing residence and detached garage, which remained vacant on the project site, into a commercial beauty salon and day spa. The Site Plan Review authorized the primary ±1,722 square-foot structure (former residence) on the project site to be renovated for use as a beauty salon. In addition, the Site Plan Review approved the construction of a new covered patio and ±218 square-foot addition to the detached garage for use as a day spa, complete with facial and body treatment, massage therapy, tanning and sauna facilities (an outdoor water spa was also added but has subsequently been removed). The salon and day spa uses were authorized to operate from 9:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sundays.

On July 12, 2022, the Planning Commission adopted Resolution No. 1927 approving a Determination of Use (DOU 2022-01) in order to allow for the establishment of body art shops, facilities and similar uses in C1 (Light Commercial), C2 (Heavy Commercial) and I (Industrial) zone districts subject to approval of a Conditional Use Permit. “Body Art,” was defined as the adornment of the body through the permanent application of a tattoo or insertion of an object, such as jewelry, into a hole for display purposes; and was further classified as the collective term for any single activity or combination of activities defined as tattooing, body piercing, or the application of permanent and semi-permanent cosmetics.

ANALYSIS:

Use Permit

City Municipal Code (CMC) Section 10.3.802 (C)(20) requires a use permit for all establishments which, in the opinion of the Planning Commission, are of a similar nature to those listed as permitted with a use permit. Pursuant to the Commission’s prior Determination of Use (DOU 2022-01) and the provisions of the CMC, the proposal to include permanent makeup artists for purposes of providing cosmetic tattoos in association with the existing salon and day spa use operations meets the definition and classification of a body art facility and a CUP is required to be obtained prior to the issuance of a business tax license. The conditions of approval have been

prepared to include operational requirements for compliance with applicable State regulations and City standards related to body art facilities and permanent cosmetics (tattooing).

In addition, while massage services were originally authorized as part of operations associated with the salon and day spa through approval of SPR XII-99-15 in 1999, massage businesses were not a use classified or listed as being permissible within the Commercial zone districts at that time. Through subsequent actions, the Commission, beginning in 2009 and as recently as 2023, has adopted resolutions determining therapeutic massage and massage parlors (including oriental massage and body sculpting) are uses similar in character to other permissible uses in the C1 (Light Commercial) zone district and are considered permissible subject to a Conditional Use Permit (DOU 2009-01, DOU 2010-01 & DOU 2023-01).

Given that no operational conditions for massage practices were included within the original conditions of approval for SPR XII-99-15, the conditions for CUP 2025-02 have also been prepared to include requirements for massage businesses and practitioners consistent with contemporary City of Madera standards. Body massage businesses are otherwise subject to the provisions and requirements of CMC § 6-1.67, Physical Therapy. These provisions require payment of an annual licensing fee or tax; as well as the filing of licensing application to substantiate the good character and business responsibility of the licensee, including disclosure of criminal convictions and presentation of valid State licensing as may be required. License applications shall be referred to the Chief of Police, who shall determine the granting of the permit or the conduct or activity will be contrary to the public peace, health, safety, morals, or welfare of the City or its inhabitants.

Site Plan Review

While the applicant is not proposing alterations to the site at this time, pursuant to Section 10.3.4.0102 of the CMC, a site plan review is required for all projects which require a use permit, including a change in use where no on-site construction is proposed. Site Plan Review verifies site conformance with City standards, affirms internal arrangement of facilities and how the use would function in conjunction with adjacent properties and other properties in the vicinity of the project site.

As provided herein above, the salon and day spa use of the project site were previously authorized through approval of SPR XII-99-15. The original site plan review considered the required off-street parking needed for the proposed use as well as other required on- and off-site improvements.

The existing site provides a total of 8 off-street parking spaces (along the Howard Road frontage) with vehicular access afforded via a drive approach located on Fairview Avenue. Frontage landscaping approximately 6 feet in width is provided on-site along the Howard Road frontage and behind the sidewalk within the Fairview Avenue public street rights-of-way. These frontage landscaped areas include turf and mature trees. The project site as well as all landscaped areas have been very well maintained. Existing solid waste service is provided within the alley located along the northern boundary of the project site.

At this time, the project application proposes no alterations to the existing tenant spaces (all existing reception, waiting, restroom, customer service and dressing, employee station, display, storage, and breakroom areas, are to remain as-is). Additionally, no exterior site improvements are proposed or required.

With the application for CUP 2025-02 and SPR 2025-05, the hours of operation for the salon and day spa are proposed to be modified from 9:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sundays to 7:00 a.m. to 11:00 p.m. on all days of the week (with customers visiting between the hours of 8:00 a.m. and 10:00 p.m.).

ENVIRONMENTAL REVIEW:

Staff performed a preliminary environmental assessment and determined that the project is exempt pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines because the project would result in the licensing of a business type in conjunction with an existing authorized use resulting in negligible or no expansion of use. All operations are proposed to occur within an existing structure, utilizing existing facilities and do not require any physical changes to the project site or environs and will therefore not result in any potential environmental impacts under CEQA. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

ALTERNATIVES:

As an alternative to the staff's recommendation, the Commission may elect to:

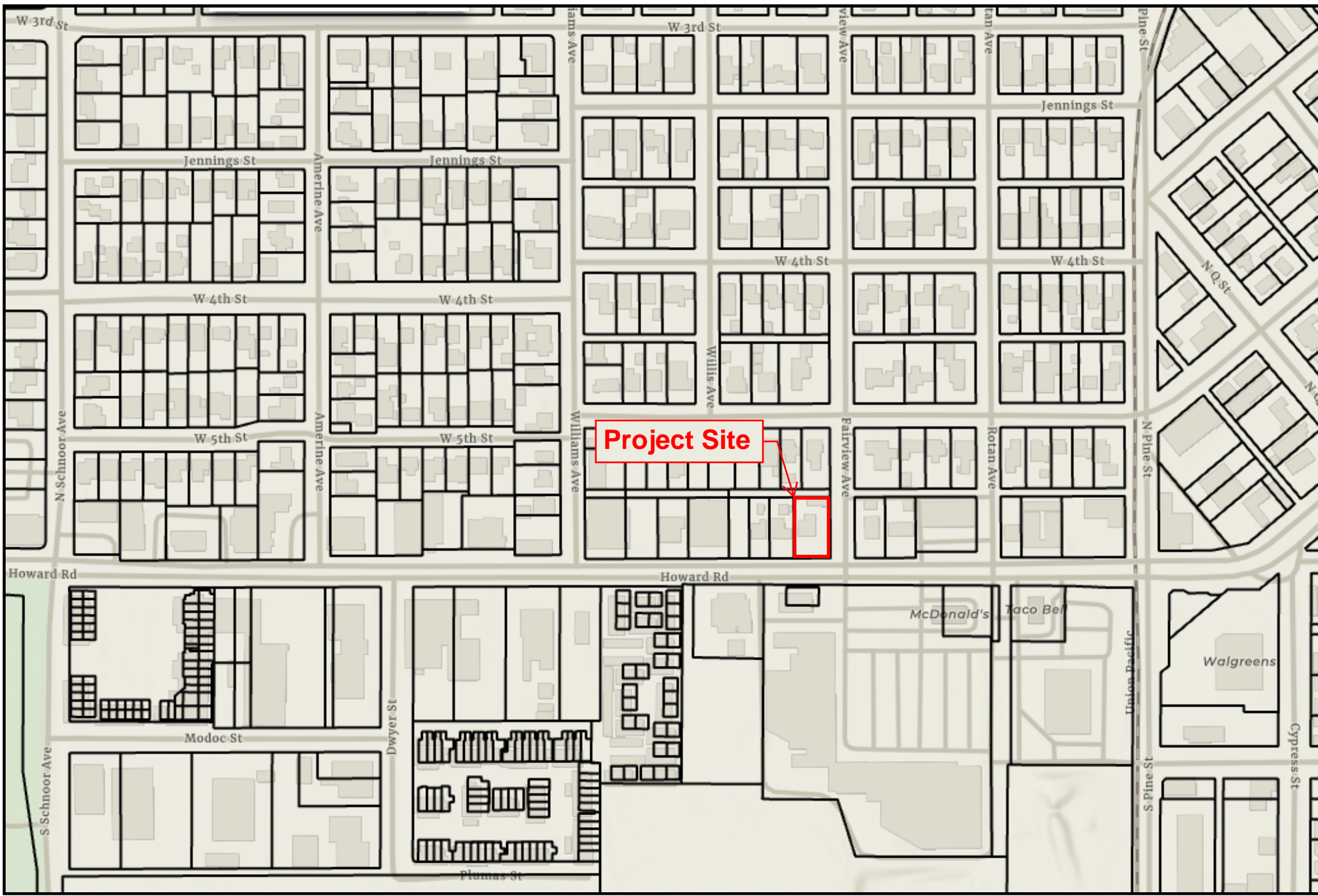
1. Move to refer the item back to staff and/or continue the public hearing to a future Commission meeting at a date certain with direction to staff to return with an updated staff report and/or resolution(s): (Commission to specify date and reasons for continuance).
2. Move to deny one more request based on specified findings: (Commission to articulate reasons for denial).
3. Provide staff with other alternative directives.

ATTACHMENTS:

1. Vicinity Map
2. Aerial Image
3. General Plan Land Use Map
4. Official Zoning Map
5. Site and Floor Plans
6. Planning Commission Resolution
Exhibit "A" - Conditions of Approval

ATTACHMENT 1

Vicinity Map



Vicinity Map



ATTACHMENT 2

Aerial Image

Attachment 2

Aerial Image (2025)

W 5th St

Fairview Ave

1603 Howard Rd

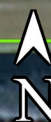
Howard Rd

Howard Rd

Google Earth

Image © 2025 Airbus

200 ft



ATTACHMENT 3
General Plan Land Use Map

General Plan

Land Use Map

Legend

- C
- HD
- I
- LD
- MD

Project Site

1603 Howard Rd

Dwyer St

Williams Ave

Howard Rd

Jennings St

W 4th St

NP St

N 6th St

W 5th St

S Pine St

Cypress St

Plumas St

Google Earth

Image © 2025 Airbus

800 ft



ATTACHMENT 4

Official Zoning Map

City of Madera

Official Zoning Map

Legend

- C1
- C2
- CR
- I
- R1
- R2
- R3

Project Site

1603 Howard Rd

Google Earth

Image © 2025 Airbus

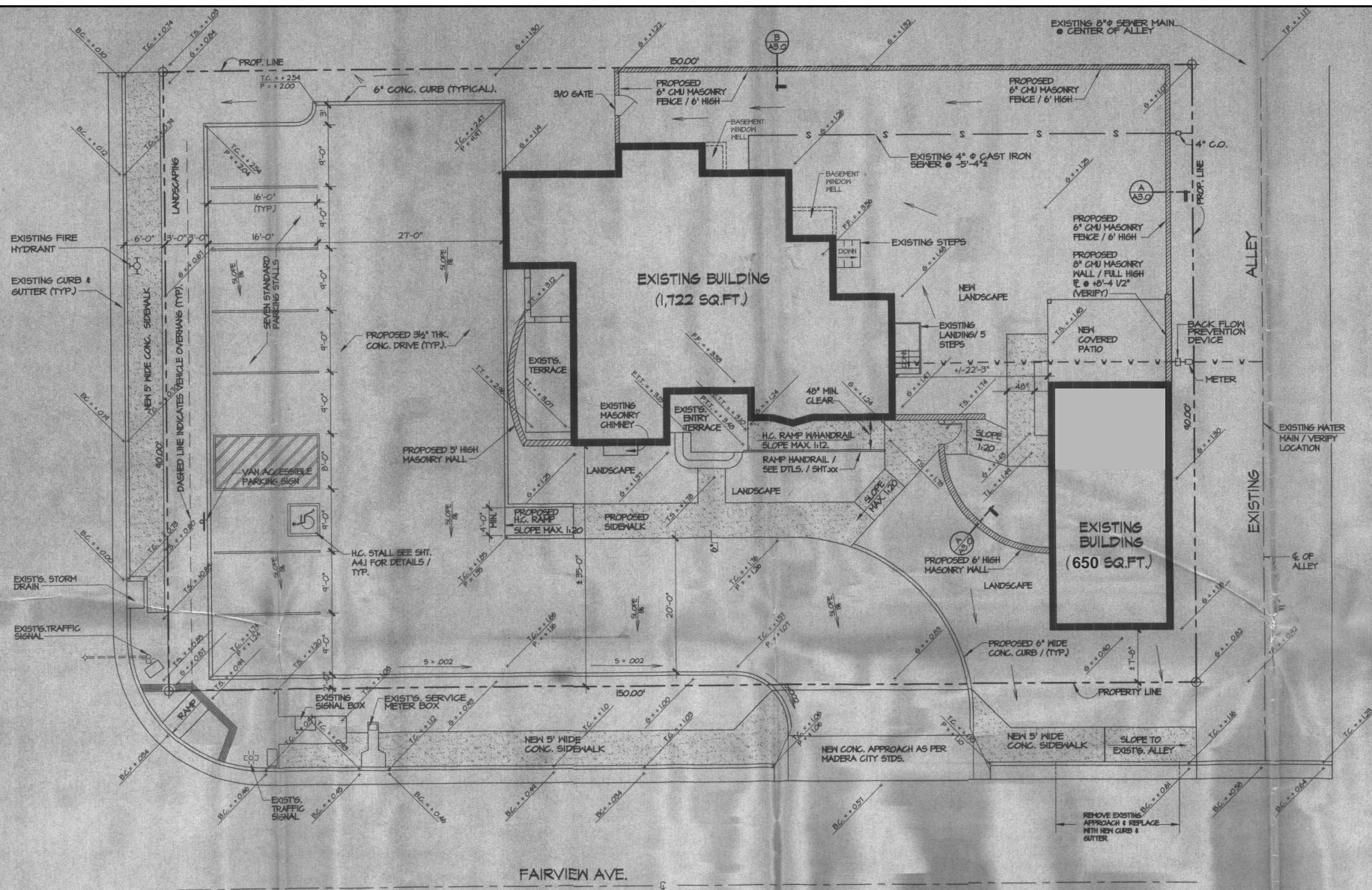
700 ft



ATTACHMENT 5

Site and Floor Plans

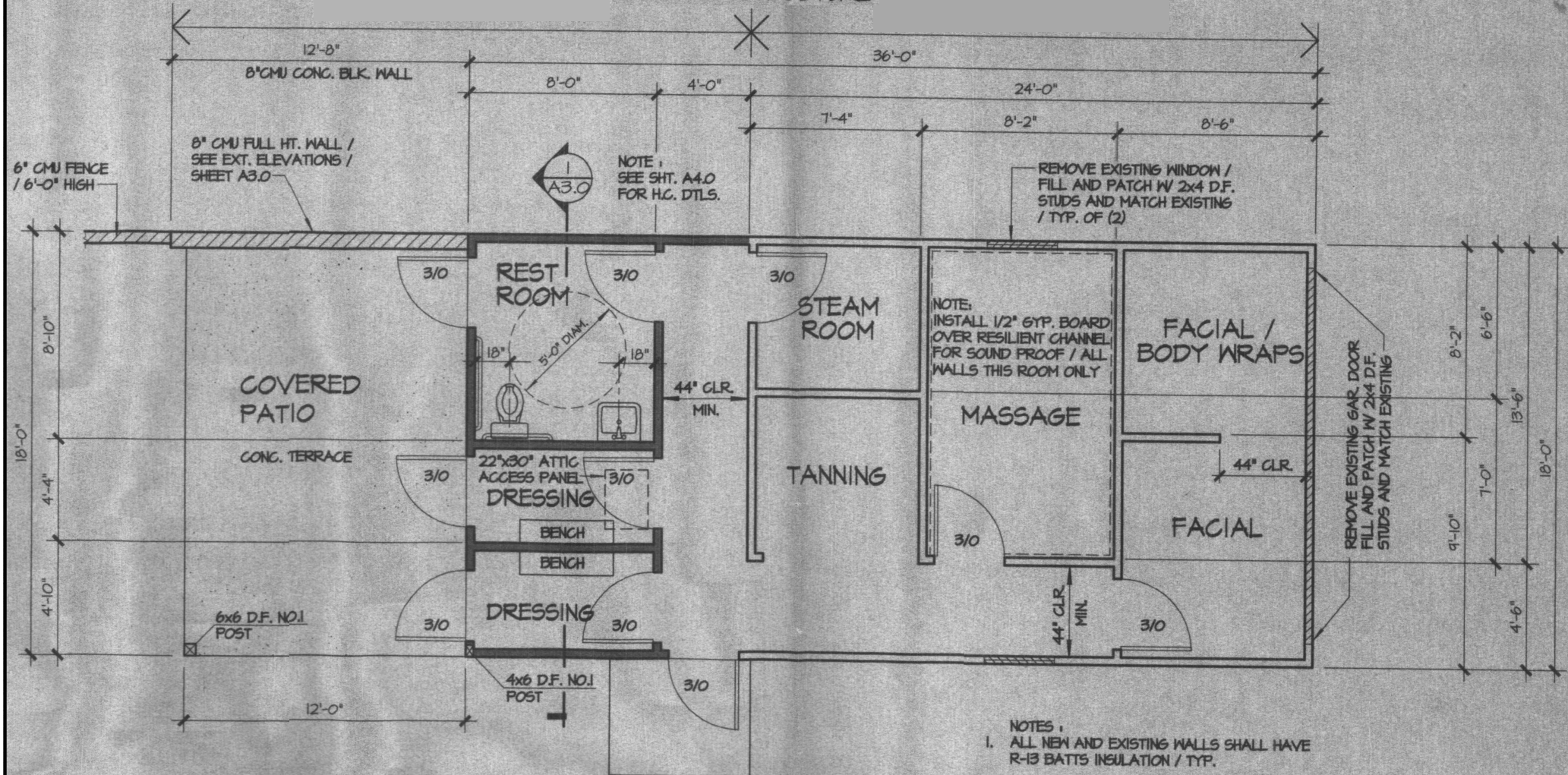
HOWARD RD



SITE & GRADING PLAN

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

EXISTING STRUCTURE



- NOTES:
1. ALL NEW AND EXISTING WALLS SHALL HAVE R-13 BATTS INSULATION / TYP.
 2. PROVIDE R-30 LOOSE INSULATION AT CL6.

Accessory Building



FLOOR PLAN

SCALE: 1/4" = 1'-0"

ATTACHMENT 6

Planning Commission Resolution
Including,
Exhibit “A” – Conditions of Approval

RESOLUTION NO. 2024

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND APPROVING CONDITIONAL USE PERMIT (CUP) 2025-02 AND SITE PLAN REVIEW (SPR) 2025-05

WHEREAS, Yvonne Alvarado (“Owner”) has filed CUP 2025-02 and SPR 2025-05 to request authorization to allow a previously approved salon and day spa use located on the northwest corner of the intersection of Howard Road and Fairview Avenue at 1603 Howard Road (APN: 009-082-020), the “project site,” to operate as a body art facility, limited to the provision of permanent cosmetic tattooing services; and

WHEREAS, the project site is designated for Commercial planned land uses on the General Plan Land Use Map and is zoned C1 (Light Commercial) by the Zoning Ordinance; and

WHEREAS, in accordance with Determination of Use (DOU) 2022-01, the Planning Commission determined activities or combination of activities defined as body art facilities, including tattooing, body piercing or application of permanent and semi-permanent cosmetics are a use permissible subject to a conditional use permit in the C1 (Light Commercial) zone districts; and

WHEREAS, operations proposed in accordance with CUP 2025-02 and SPR 2025-05 have been determined to be able to occur on the site in a manner that is not detrimental to the welfare and well-being of the surrounding uses and the City at large; and

WHEREAS, a preliminary environmental assessment was performed and the proposed project was found to be Categorically Exempt pursuant to the provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities); and

WHEREAS, pursuant to the provisions of the City Municipal Code (CMC), the Planning Commission is authorized to review and approve conditional use permits, site plan reviews and environmental assessments for associated projects on behalf of the City; and

WHEREAS, the City provided notice of the Planning Commission hearing on April 8, 2025 as required by law; and

WHEREAS, the Planning Commission received and independently reviewed and considered CUP 2025-02 and SPR 2025-05 at the duly noticed meeting on April 8, 2025; 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, after due consideration of the items before it, the Planning Commission now desires to adopt a Categorical Exemption for the project pursuant to CEQA and approve CUP 2025-02 and SPR 2025-05.

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: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission determines that the project is exempt under Section 15301/Class I (Existing Facilities) of the State CEQA Guidelines because the project is operational only proposing to include the services of permanent makeup artists to provide cosmetic tattooing in conjunction with a previously approved beauty salon and day spa business, within an existing tenant space within an existing building on an existing improved lot with existing services and utilities. The existing tenant space and site was previously authorized and has continuously been utilized for commercial use as a beauty salon and day spa with which operations limited to the act of applying permanent or semi-permanent cosmetics through tattooing, performed by permanent makeup artists, is considered to be similar in nature and character. Operations as a body art facility are therefore determined to be negligible or no expansion of the existing use. The applicant does not propose any interior improvements or physical development of the site or adjacent public rights-of-way. The proposed project is consistent with applicable general plan designations and policies and is served by all required services and utilities. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project and the project does not present any unusual circumstances.
3. Findings to Approve CUP 2025-02: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of the use permit and site plan, as conditioned. 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:

Finding a: The proposal is consistent with the General Plan. operative plans and Zoning Ordinance.

The General Plan designates the subject site for commercial uses and the site is zoned C1 (Light Commercial), which is consistent with the Commercial land use category pursuant to Table LU-A: General Plan/Zoning Consistency of the Madera General Plan.

The proposed use of cosmetic tattooing is considered permissible in the C1 zone district subject to obtaining a conditional use permit. The proposed use supports Madera General Plan Goal SUS-1, and Policy SUS-11 by encouraging diverse economic opportunities, and contributes to fulfilling the Vision 2025 statements through the provision of facilities which serve all ages and cultures, promoting community and personal wellness.

Finding b: The proposed use will be compatible with the surrounding properties.

The project site is an existing commercially planned and zoned property suited for commercial uses. The proposal is for an existing tenant space within an existing building on commercially zoned property and is surrounded by like uses to the east, south and west of the property. As conditioned, the use will be compatible with surrounding properties and is consistent with applicable requirements regulating such use.

Finding c: The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

The proposed use will not result in a detriment to the health, safety, peace, morals, comfort, or general welfare of persons or property in the surrounding area. The operations of this proposal have been conditioned by staff. Subject to operational compliance with the project conditions of approval, the general welfare and safety of the surrounding uses and the City at large will not be negatively impacted.

4. Findings to Approve SPR 2025-05: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support the approval of the Site Plan Review, as conditioned. With conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-3.4.0106. 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:

Finding a: The proposal is consistent with the General Plan, operative plans and Zoning Ordinance.

In allowing the existing and previously approved commercial beauty salon and day spa use to expand operations to also include a body art (cosmetic tattooing) use, these entitlements support Vision Madera 2025 and encourage, “economic opportunities and underscores the need to attract commercial and retail businesses and to encourage residents to buy locally” (City of Madera General Plan, p. 1-2).

Finding b: The proposed project includes facilities and improvements; vehicular and pedestrian ingress, egress, and internal circulation; and location of structures, services, walls, landscaping, and drainage that are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, there will be no adverse effects on surrounding property, light is deflected away from adjoining properties and public streets, and environmental impacts are reduced to acceptable levels.

The project has been reviewed and is consistent with the surrounding uses and with all applicable requirements for development in a C1 (Light Commercial) zone district. The conversion of the site for commercial use as a salon and day spa use was originally authorized through approval of Site Plan Review XII-99-15 and all conditions for site improvements have been previously met. There are no public improvements required and on- and off-site improvements are consistent with City standards. Review of the site determined that the project would not result in a significant generation of noise, light, and traffic.

Finding c: The proposed project is consistent with established legislative policies relating to traffic safety, street dedications, street improvements, and environmental quality.

The Site Plan Review will not have a significant impact on traffic or the environment. With the conditions imposed, the project will not be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

5. Approval of CUP 2025-02 and SPR 2025-05: Given that all findings can be made, the Planning Commission hereby approves the use permit and site plan review as conditioned and set forth in the Conditions of Approval attached as Exhibit "A".
6. Effective Date: This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 8th day of April 2025,
by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Robert Gran Jr.
Planning Commission Chairperson

Attest:

Will Tackett
Community Development Director

Exhibit "A" - Conditions of Approval for CUP 2025-02 and SPR 2025-05

EXHIBIT "A"
CUP 2025-02 & SPR 2025-05
BODY ART FACILITY/COSMETIC TATTOOING
CONDITIONS OF APPROVAL
April 08, 2025

NOTICE TO APPLICANT

Pursuant to Government Codes Section 66020(d)(1) and/or Section 66499.37, any protest related to the imposition of fees, dedications, reservations, or exactions for this project, or any proceedings undertaken regarding the City's actions taken or determinations made regarding the project, including but not limited to validity of conditions of approval must occur within ninety (90) calendar days after the date of decision. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

IMPORTANT: PLEASE READ CAREFULLY

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein

and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made. All discretionary conditions of approval for CUP 2025-02 and SPR 2025-05 will ultimately be deemed mandatory unless appealed by the applicant to the City Council within 15 days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this permit.

CONDITIONS OF APPROVAL

General

1. Approval of this conditional use permit and site plan review shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or the designer to disclose and delineate all facts and information relating to the subject property and the proposed development.
2. Approval of CUP 2025-02 and Site Plan Review 2025-05 will expire 12 months from date of issuance unless the rights and privileges granted by the use permit are exercised/utilized or required action is taken to extend the approval before the expiration date as provided in City Municipal Code (CMC).
 - NOTE: Pursuant to the provisions of § 10-3.1311 the City Municipal Code (CMC), any use permit granted by the city as herein provided shall be conditioned upon the privileges granted therein being utilized within 12 months after the effective date thereof. Failure to utilize such permit within such 12-month period shall render the permit null and void unless a written request for extension is submitted to the Planning Commission prior to the expiration of the permit.
3. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes.
4. The applicant shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Exemption at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing. **Such check shall be**

made payable to the Madera County Clerk and submitted to the City of Madera Planning Department no later than three (3) days following action on CUP 2025-02 and SPR 2025-05.

5. Approval of CUP 2025-02 and SPR 2025-05 is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

PLANNING DEPARTMENT

6. The approval of CUP 2025-02 and SPR 2025-05 is contingent upon and subject to compliance with all conditions of approval for Site Plan Review XII 99-15, inclusive and incorporated by reference; except as may be modified herein.
7. Approval of CUP 2025-02 and SPR 2025-05 authorizes permanent makeup (body) artists to provide cosmetic tattoos in conjunction with a previously approved salon and day spa use located on the northwest corner of the intersection of Howard Road and Fairview Avenue at 1603 Howard Road (APN: 009-082-020).
8. Approval of CUP 2025-02 and SPR 2025-05 does not authorize alterations to the site, business use, or leasing space except as expressly provided herein. Future alterations or modifications shall require an amendment to the conditional use permit and/or additional site plan review.
9. Business hours for the salon and day spa use shall be limited to between 7:00 a.m. and 11:00 p.m. daily with customer visitation and services limited to the hours between 8:00 a.m. and 10:00 p.m. daily.

10. The property owner, operator, and/or manager shall operate the site in a manner that does not generate noise, odor, blight, or vibration that adversely affects adjacent properties.
11. On-site vandalism and graffiti shall be corrected per the Municipal Code.
12. The property/applicant and/or benefactors of the site plan review shall post "No Smoking" signage to the extent required by law.

Conditional Use Permit

13. This conditional use permit shall be subject to periodic reviews and inspections by the City to determine compliance with the conditions of approval and applicable codes. If, at any time, the uses permitted by the use permit are determined by staff to be in violation of the conditions of approval or applicable codes and regulations the City reserves the right to corrective action and enforcement through all legal means available, including but not limited to revocation of the use permit.

Body Art/Permanent Cosmetics (Tattooing):

14. The authorization of use pursuant to approval of CUP 2025-02 is limited to operation as a body art facility, restricted to the performance of permanent and semi-permanent cosmetic tattooing services in conjunction with a beauty salon and day spa use. It is the purpose and intent of these standards to regulate the operation of facilities that perform tattooing and body modification to provide for the health, safety, and welfare of the public.
15. The business, including its facilities and employees/practitioners, shall comply with all federal, state and local laws and regulations, including without limitation to the provisions of the California Health and Safety Code Section 119300 et seq.
16. Registration Required. Any person who is engaged in the business of tattooing or body modification shall obtain all necessary permits to conduct business and shall provide evidence of registration with the Madera County Department of Health.
 - a. A body art facility shall not conduct business without a valid health permit.
 - b. No body art facility shall allow a practitioner who does not possess a valid practitioner registration to perform body art procedures at the facility.
 - c. No employee of the business shall perform body art at any location other than the permitted permanent body art facility on the subject property (or a temporary body art facility in compliance with State law).
 - d. A practitioner shall display, in a place readily visible to the public at the body art facility where the practitioner is performing body art, the certificate confirming registration with the local enforcement agency (County Department of Health) in the jurisdiction in which that practice is conducted.

17. No Persons Under 18 & Consent. The operator of the establishment shall require all customers to show proof of age and to read, complete, and sign an informed consent form in accordance with the California Health and Safety Code prior to the performance of body art.
 - a. Pursuant to Section 653 of the Penal Code, a client shall be at least 18 years of age to be offered or to receive a tattoo or permanent cosmetics application, regardless of parental consent.
18. The body art facility shall conform to all clean and sanitary environment requirements, sterilization and storage procedures, Infection Prevention and Control Plan requirements (including required procedures for safe handling and disposal of Sharps Waste) as approved by the County Department of Health, and practitioner (Permanent Makeup Artist) completion of a Bloodborne Pathogens Exposure Control Training program that is specific to his or her practice, in accordance with the provisions of the California Health and Safety Code.
 - a. All cosmetic tattooing equipment used for body art related services shall only be accessible to employees of the establishment.
19. The business owner/operator shall be responsible for the conduct of persons employed or retained by the business while on the business premises or while otherwise providing service on behalf of the business.
20. All cosmetic tattooing services shall be confined entirely within a building on the project site and all service areas shall not be visible from public view.
21. Criminal acts occurring on the premise and/or related to the business, whether or not committed by the business owner, operator and/or employees of the business, shall be reviewed by the Police Department and shall be grounds for revocation of the use permit by the Commission

Massage Services:

22. All employees performing massage services shall undergo a background check with the Police Department prior to issuance of a business tax license.
23. Clients of the Massage Business shall be limited to adults 18 years of age and older and minors only when accompanied by a parent or legal guardian.
24. The body massage business is subject to the provisions and requirements of CMC § 6-1.67, Physical Therapy. These provisions require payment of an annual licensing fee or tax; as well as the filing of licensing application to substantiate the good character and business responsibility of the licensee, including disclosure of criminal convictions and presentation of valid State licensing as may be required. License applications shall be referred to the Chief of Police, who shall determine the granting of the permit or the conduct or activity will be contrary to the public peace, health, safety, morals, or welfare of the City or its inhabitants.

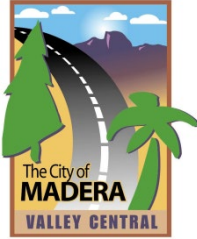
25. Massage services shall only be performed by Certified Massage Practitioners, which shall mean any individual certified by the California Massage Therapy Council (CAMTC) as a massage therapist or massage practitioner pursuant to California Business and Professions Code Section 4600 et seq.
- a. It shall be unlawful for any Certified Massage Practitioner to be present on the premises of a Massage Business or perform Massage on a Client without having prominently displayed his or her CAMTC certification card issued by CAMTC. The identification card shall be in good and readable condition. At minimum, a copy of the CAMTC certificate of each Certified Massage Practitioner employed by the Massage Business shall be displayed in the reception area or similar open public space on the premises.
 - b. A Certified Massage Practitioner shall operate only under the name specified in his or her CAMTC certificate.
26. The Massage Business and practitioners shall at all times comply with the following sanitary operational conditions:
- a. The Massage Business shall at all times be equipped with an adequate supply of clean sanitary towels, coverings, and linens. Towels and linens shall not be used on more than one Client, unless they have first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one Client. Soiled linens and paper towels shall be deposited in separate receptacles.
 - b. Wet and dry heat rooms, steam or vapor rooms or cabinets, toilet rooms, shower and bathrooms, tanning booths, or whirlpool baths and pools shall be thoroughly cleaned and disinfected as needed, and at least once each day the Massage Business is open, with disinfectant. Bathtubs shall be thoroughly cleaned after each use with disinfectant. All walls, ceilings, floors, and other physical facilities for the Massage Business must be in good repair, and maintained in a clean and sanitary condition.
 - c. Instruments utilized in performing Massage shall not be used on more than one Client unless they have been sterilized using approved sterilization methods.
 - d. All Massage Business Operators and their Employees, including Certified Massage Practitioners, shall wear clean, nontransparent outer garments. Garments shall not expose their genitals, pubic areas, buttocks, or chest.
 - e. Patrons must be fully draped while an employee is in the massage room.
 - f. A minimum of one wash basin for Employees shall be provided at all times. The basin shall be located within or as close as practicable to the area devoted to performing of Massage Services. Sanitary towels shall also be provided at each basin.
27. Minimum lighting consisting of at least one artificial light of not less than forty watts shall be provided and shall be operating in each room or enclosure where Massage Services are being performed on Clients, and in all areas where Clients are present.

28. No Massage shall be given unless the Client's genitals are, at all times, fully covered. A Certified Massage Practitioner shall not, in the course of administering any Massage, make physical contact with the genitals of any other person, nor shall a Certified Massage Practitioner expose to a Client or allow physical contact with his or her genitals. No sexual aids, including but not limited to condoms, may be kept on site.
29. It shall be the responsibility of the business owner who employs or allows any person to provide Massage Services, to ensure such person complies with the requirements of this Article and all laws. The Owner shall be held responsible for the conduct of all Employees and all persons on the premises who engage in providing Massage Services. Any act or omission of any person providing Massage Services shall be deemed the act or omission of the owner for the purpose of determining whether the City license or use permit may be revoked, suspended, or denied. Proof of knowledge of any violation of this section shall not be required for purposes of suspension, revocation, or denial of a City license.

Signage:

30. No signs are approved as part of this site plan review. Signs shall be reviewed and approved under a separate permit in accordance with the Madera Municipal Code.
31. No window signs shall be permitted, and windows shall not contain any covering, obstruction or treatment to prevent a clear view into the property from the exterior.

END OF CONDITIONS



REPORT TO THE PLANNING COMMISSION

Prepared by:

Adileni Rueda, Assistant Planner

Meeting of: April 8, 2025

Agenda Item: 2

SUBJECT:

Consideration of an application for a Precise Plan (PPL 2025-01) to establish development standards for the Vineyard West Phase III Planned Development Subdivision located on the northwest corner of the intersection of Sunset Avenue and Caitlan Drive.

RECOMMENDATION:

Conduct a public hearing and adopt:

1. A Resolution of the City of Madera Planning Commission determining the project was previously assessed for compliance with the requirements of the California Environmental Quality Act (CEQA) and no further documentation is required; and, approving Precise Plan (PPL) 2025-01, subject to the findings and conditions of approval.

SUMMARY:

The applicant, DMP Development, Corp, has filed Precise Plan (PPL) No. 2025-01 to establish development standards for the Vineyard West Phase III Planned Development Subdivision. The project site is approximately 30.45 acres in area with an approved Tentative Subdivision Map (TSM 2020-04) authorizing the subdivision and development of 137 single family residential lots.

The southern portion of the project site is zoned PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and the northern and a westerly portion of the project site is zoned PD-6000 (Planned Development, one unit for each 6,000 square feet of site area). The entirety of the project site is designated for Low Density Residential (2.1-7 dwelling units per acre) land uses on the General Plan Land Use Map.

In accordance with the City Municipal Code (CMC) Section 10-3-4.104, no construction, grading, or new development activity shall commence in any Planned Development Zone prior to an approval of a Precise Plan by the Planning Commission.

Table 1 below provides a brief overview of the entitlement request, project applicant, project location, and site characteristics.

Table 1: Project Overview	
<i>Project Number:</i>	PPL 2025-01
<i>Applicant:</i>	DMP Development, Corp
<i>Property Owner:</i>	DMP Development, Corp
<i>Location:</i>	Northwest corner of the intersection of Sunset Avenue and Caitlan Drive.
<i>Project Area:</i>	±30.45-acres
<i>Land Use:</i>	Low Density Residential (2.1-7 dwelling units per acre)
<i>Zoning District:</i>	PD-4500 (Planned Development, one unit for each 5,000 sq. ft. of site area); and, PD-6000 (Residential, one unit for each 6,000 sq. ft. of site area)
<i>Site Characteristics:</i>	The site has been approved for subdivision into 137 single family residential lots with Tentative Subdivision Map 2020-04. A Final Map (Subdivision No. 21-S-02) comprising 88 lots was recorded on June 22, 2023 (Document No. 2023011720 in Book 69 of Maps, at Page[s] 129-132).

BACKGROUND:

The project site comprises Phase III of the Vineyard West (recorded as Vineyard Estates) Subdivision. Phase I of the Vineyard West Subdivision first approved the development of 47 lots and Phase II included an additional 44 lots. The final maps for Phases I and II were recorded in 2003 and 2004. Development and construction build-out of Phase I and Phase II are complete.

PPL 2025-01 is proposed for Phase III of the Vineyard West Subdivision. The Planning Commission approved the tentative subdivision map (TSM 2020-04) for Phase III on December 8, 2020. A 6-year discretionary extension of the tentative map was then granted by the Planning Commission on October 11, 2022, in accordance with the provisions of California Government Code Section 66452.6(e). A Final Map (Subdivision No. 21-S-02) comprising 88 lots was recorded for a portion of the project site on June 22, 2023 (Document No. 2023011720 in Book 69 of Maps, at Page[s] 129-132). Several lots have been developed utilizing the City Municipal Code's conventional residential standards, consistent with earlier phases of the Vineyard West Subdivision. However, as noted within the staff report to the Commission on October 11, 2022, a previously approved Precise Plan for Phase III expired and a new Precise Plan is needed. In addition, DMP Development has submitted more recent model plans for Phase III. Accordingly, PPL 2025-01 has been filed to establish the development standards and specific site requirements for the project site, as required within a Planned Development zone district pursuant to the provisions of the City Municipal Code.

ANALYSIS:

Precise Plan

The purpose of the P-D zones is to authorize and regulate density of condominiums, cooperatives, planned developments, and other residential subdivisions. The district is intended to allow use

of special design criteria for maximum utility of the site and to allow maximum design flexibility within the density limitations of the General Plan. Variations from normal zoning standards may be considered (e.g., zero side yard and common wall developments).

The southern portion of the project site is zoned PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and the northern and a westerly portion of the project site is zoned PD-6000 (Planned Development, one unit for each 6,000 square feet of site area). Precise Plan No. PPL 2025-01 will establish the development standards and design criteria applicable to the project site.

A reduction of front and rear setbacks is being requested. City Municipal Code (CMC) Section 10-3.508 provides, no building in the front yard shall be constructed nearer than fifteen (15) feet from the property line. PPL 2025-01 proposes a five (5) foot reduction to the minimum front setback, resulting in minimum 10-foot front setbacks (to habitable space). A reduction to the front setback allows for irregular shaped lots to accommodate larger model floor plans affording greater diversity in housing/lot choice and allows for the residences to be pushed forward maximizing rear yard (private open) spaces.

PPL 2025-01 provides five (5) model plans for the subdivision. The models are composed of Standard Plan(s) 2130, 2232, 2418, 2519, and 2680. Model 2519 is the only two-story plan while the rest of the models are one-story. Each residence will offer a minimum of three bedrooms. Certain models, depending on size, offer a larger floorplan therefore offering up to four bedrooms and three car garages.

All on and off-site improvements are required to be completed in accordance with the conditions of approval for TSM 2020-04.

Table 2 below provides the development standards such as setbacks, open space, building height, and parking spaces noted within the Precise Plan application.

Table 2: Proposed Development Standards		
<i>Standard</i>	<i>(Conventional) R-1 Residential Standards</i>	<i>(Proposed) PPL 2025-01</i>
<i>Front setback (minimum)</i>	15 ft. main building / 20 ft driveway (garage)	10 ft. main building / 20 ft driveway (garage)
<i>Rear setback (minimum)</i>	15 ft	10 ft
<i>Interior side setbacks (minimum)</i>	5 ft.	5 ft. / (3 ft. *) (*Exception for Lot 31 and Lot 30, see attached COAs)
<i>Exterior side setbacks (minimum)</i>	10 ft.	10 ft
<i>Building height (maximum)</i>	35'	23'-8"

<i>Open Space (minimum)</i>	750 sf/unit	750 sf/unit
Parking Spaces (minimum)	2 parking spaces (One covered and one uncovered)	2 parking spaces (One covered and one uncovered)

ENVIRONMENTAL REVIEW:

The proposed project has been reviewed for compliance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

An initial study was previously prepared for the Vineyard West project, which included environmental analyses as necessary to evaluate the project in accordance with the provisions and criteria of the California Environmental Quality Act (CEQA) Guidelines. The conclusions and findings resultant from these environmental studies, analyses and an evaluation of the proposed project determined that although the project could have a significant effect on the environment, there will not be a significant effect because mitigation measures were identified to reduce the significant direct, indirect or cumulative effects on the environment. Accordingly, a Mitigated Negative Declaration was determined appropriate for the project and adopted at the time of tentative map approval.

In accordance with CEQA Guidelines Section 15162(a), when a (mitigated) negative declaration has been adopted for a project no subsequent mitigated negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record one or more of the following:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous Mitigated Negative Declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous Mitigated Negative Declaration;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of

the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous Mitigated Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Planning Commission with an action to adopt the attached Resolution will be making the determination that no changes to the project or its circumstances have occurred and no new information has become available, as described in Section 15162(a) et seq. of the CEQA Guidelines; and, that no further documentation is required.

ALTERNATIVES:

As an alternative to the staff's recommendation, the Commission may elect to:

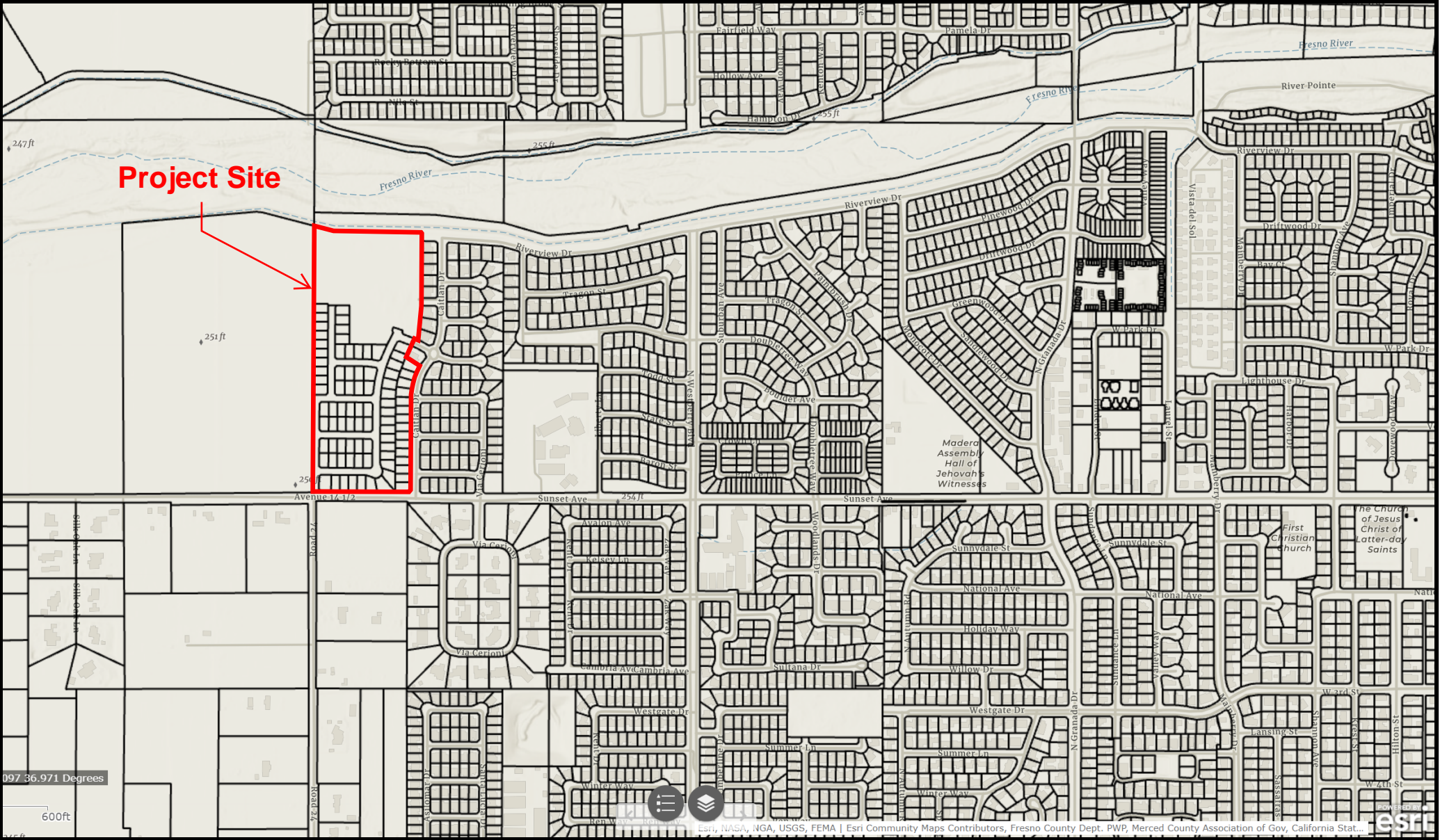
1. Move to refer the item back to staff and/or continue the public hearing to a future Commission meeting at a date certain with direction to staff to return with an updated staff report and/or resolution (Commission to specify date and reasons for continuance).
2. Move to deny one or more requests based on specified findings: (Commission to articulate reasons for denial).
3. Provide staff with other alternative directives.

ATTACHMENTS:

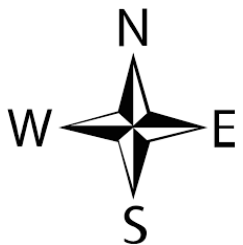
1. Vicinity Map
2. Aerial Image
3. Tentative Subdivision Map (TSM 2020-04)
4. Model Elevations
5. Planning Commission Resolution
Exhibit "A": Conditions of Approval

ATTACHMENT 1

Vicinity Map



Vicinity Map

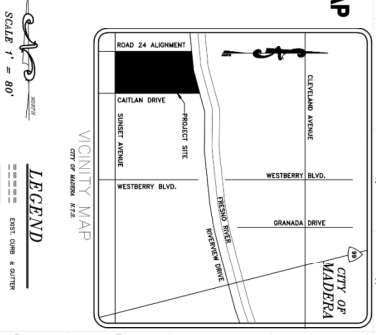
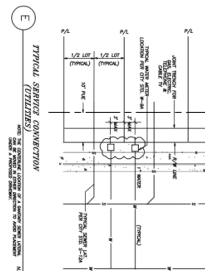


ATTACHMENT 2

Aerial Image



ATTACHMENT 3
Tentative Subdivision Map
(TSM 2020-04)



REVISION 2

SECRET

REVISION 2

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This and all other project documents and all ideas, inventions and designs incorporated into the Instrumentation Services or all project documents are the registered property of Instrumentation International (II) and cannot be fully used or in part be used by any project participant except as described in the contracted agreement between II and the Client. No liability shall be assumed for any such project document use, reproduction, or modification (renewal) is not only unlawful but also automatically limits all parties involved with reuse to fully identify and defend II and II's consultants to the maximum legal extent against all losses, damages, claims or liabilities arising directly or indirectly from project document reuse.

Project documents describe design intent of work and are not a representation of the on-built or existing conditions. II and II's consultants make no representation or warranty of accuracy or completeness and are not responsible for any discrepancies between documents, documents and the actual conditions.

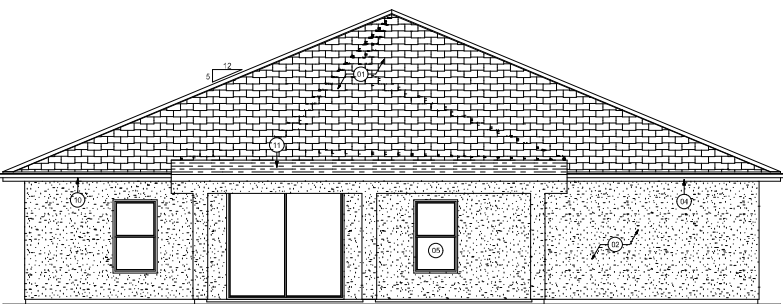
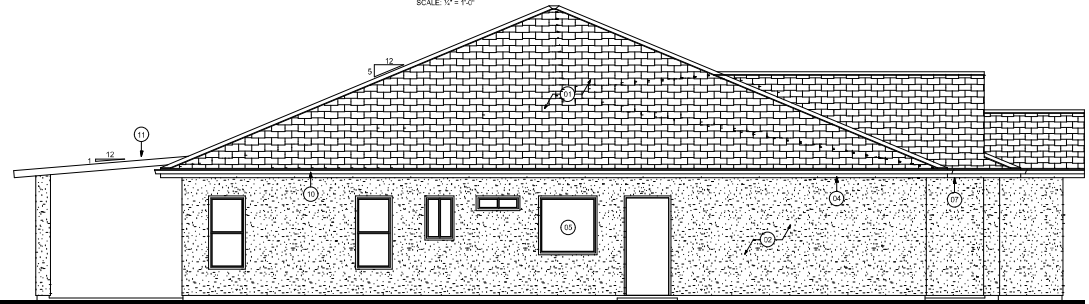
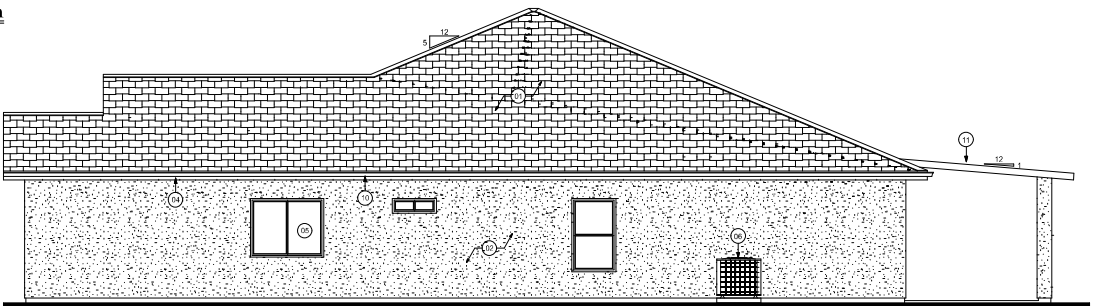
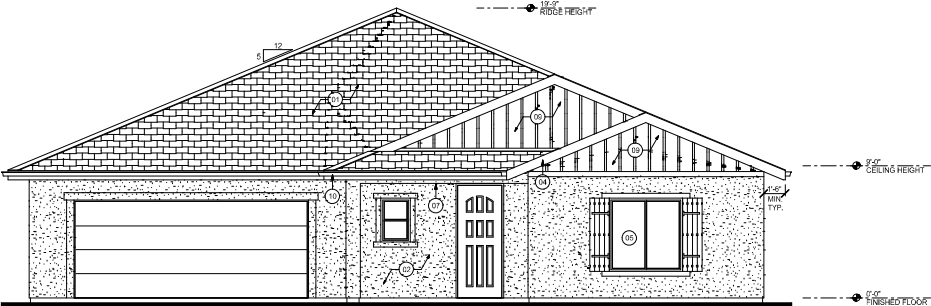
ATTACHMENT 4
Model Elevations

Notes:

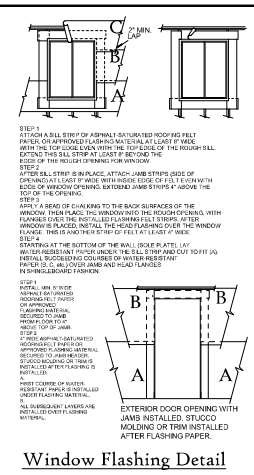
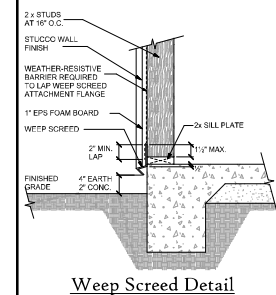
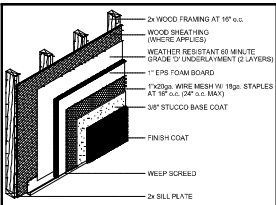
1. STUCCO SYSTEM MANUFACTURER: WESTERN 1-NOTE STUCCO (CC REPORT # ESR-1607)
2. INSTALL STUCCO WEEP SCREENS NOT CLOSER THAN 4" ABOVE EARTH NOR 2" ABOVE PAVED SURFACES
3. INSTALL GYPSUM DRYWALL/WALLBOARD IN ACCORDANCE WITH CHAPTER 26, 2022 CBC, NAILING PER TABLE 23.11.6.1, 2022 CBC. WALLBOARD SURFACES TO COMPLY W/ FLAME-SPREAD CLASS B RATING, UNLESS OTHERWISE SPECIFIED IN THE PLANS. INSTALL 1/2" GYPSUM WALLBOARD AT ALL INTERIOR WALLS (EXCEPT USE 1/2" WATER-RESISTANT WALL BOARD BEHIND CERAMIC TILE & OTHER AREAS THAT MAY BE AFFECTED BY WATER). 5/8" GYPSUM WALL BOARD ON CEILINGS WHERE JOIST SPACING IS 24" O.C. OR 12" WHERE SPACING IS 16" O.C.). 5/8" GYPSUM BOARD TYPE "X" ON CORNER WALLS BETWEEN GARAGE & RESIDENCE (RELANDER OF CEILING & WALLS IN GARAGES MAY BE 1/2" w/ 99" TYPE "X" STOPPING AT CEILING ON COMMON WALLS)
4. MASONRY VENEER SHALL COMPLY W/ CBC 2022, INCLUDING APPROVED BACKING & ANCHORAGE W/ GALVANIZED ANCHORS (12 GAUGE X 12" LONG) AT 16" O.C. BOTH WAYS.
5. THE FOLLOWING ITEMS SHALL BE INSTALLED PER CONTRACT BETWEEN CLIENT & BUILDER:
 - A. PAINTING & DECORATING
 - B. DOORS & WINDOWS (SHALL COMPLY W/ INFILTRATION STANDARDS OF TITLE 24, CALC.)
 - C. FINISH HARDWARE & FIXTURES
 - D. PLUMBING FIXTURES & APPLIANCES
 - E. CEMENTRY & COATERS
 - F. FLOOR FINISHES INCLUDING CARPET, VINYL, LINOLEUM, TILE &/OR AGGREGATE
 - G. LANDSCAPING, PAVING, PLANTWORK & FENCING

Roof Covering Notes:

- A. ROOF COVERING TO CONFORM TO CBC STANDARDS
- B. ROOF COVERING TO BE INSTALLED IN ACCORDANCE W/ MANUF. INSTRUCTIONS & CBC TABLES. ALL NAILS TO BE GALV. OR COPPER
- C. PROVIDE A SPARK ARRESTOR (TYP) @ ALL FIREPLACES
- D. THE INSTALLER SHALL PROVIDE CERTIFICATION OF THE ROOF COVERING CLASSIFICATION TO BUILDING DEPT. BEFORE THE WORK CAN BE FINISHED
- E. CLASSIFICATION W/ ROCK MATERIAL REQUIRED: MIN.
- F. 3/16" & 7/16" WATERBOARD, ORIENTED STRAND BOARD & PARTICLE BOARD REQUIRE T&G
- G. EDGES OR MUST BE SUPPORTED BY BLOCKING OR EDGE CLIPS
- H. MASONRY VENEER TO COMPLY W/ 2022 CBC



KEYNOTES	
01	ROOF AREA SHALL BE COVERED w/ TILE OVER MIN. 30# FELT, ATTACHED w/ COPPER OR GALV. NAILS. ROOF COVERING IS TO CONFORM TO CBC STANDARDS.
02	STUCCO SYSTEM MANUFACTURER: WESTERN 1-NOTE EXTERIOR STUCCO SYSTEM (CC REPORT # ESR-1607) w/ 1x20 WIRE MESH AND FELT OR 2 LAYERS GRADE 12 PAPER 5/8" x 8' FOAM BOARD BEHIND ALL 1 COAT (SEE ELEVATION NOTES)
03	DORMER VENT w/ 1/4" GALVANIZED MESH (REFER TO ATTIC VENT CALC) FOR STYLE & SIZE.
04	2x6 FASCIA TYPICAL THRUOUT
05	ALL WINDOWS TO BE DUAL GLAZED (VERIFY MANUFACTURER & SIZE w/ GENERAL CONTRACTOR)
06	A/C CONDENSING UNIT, SETTING ON A 3" TALL CEMENT SLAB
07	STUCCO UNDERSIDE OF THE PATIO AND PORCH CEILING w/ HIGH RIBBED LATH.
08	BOX & STUCCO UNDER OVERHANG w/ HIGH RIBBED LATH.
09	BOARD & BATTON INSTALLED PER CBC
10	5" RAIN GUTTER TO BE INSTALLED
11	TORCH DOWN ROOFING TO BE INSTALLED PER CBC



DMP DEVELOPMENT CORP.
2001 Howard Rd. Ste. 211
Madera CA 93637 (559) 673-6931

PROJECT TITLE
ELEVATIONS "A"

PROJECT TITLE
DMP DEVELOPMENT CORP.
(JOB - DMP2130)
2130 STANDARD PLAN

DATE
2/14/2023

REV NO.
DMP2130

DESIGN BY
MMP

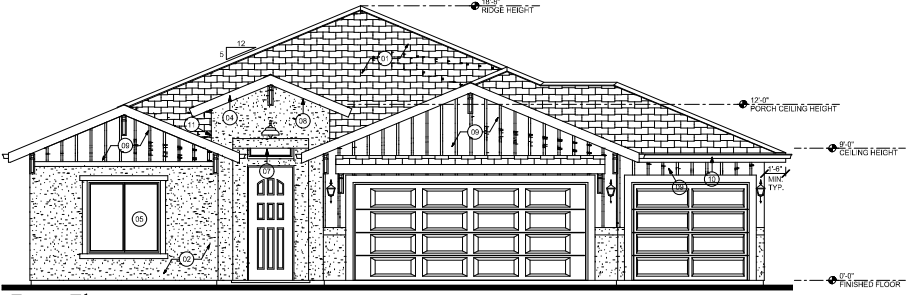
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A-3

Notes:

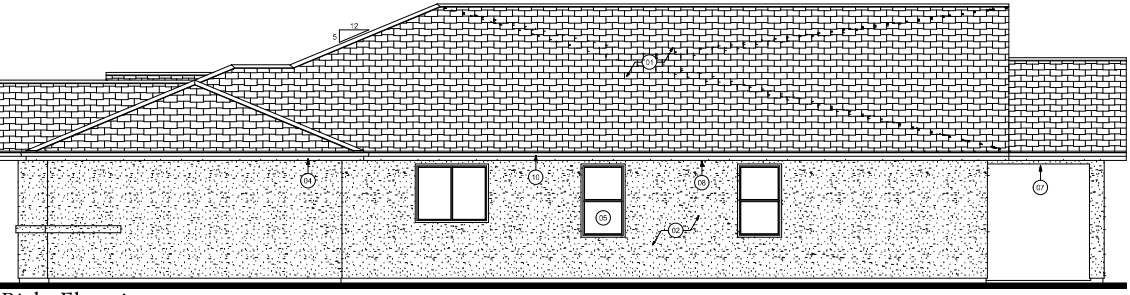
1. STUCCO SYSTEM MANUFACTURER: WESTERN 1-NOTE STUCCO ICC REPORT # ESR-1607
2. INSTALL STUCCO WEEP SCREENS NOT CLOSER THAN 4" ABOVE EARTH NOR 2" ABOVE PAVED SURFACES
3. INSTALL GYPSUM DRYWALL/WALLBOARD IN ACCORDANCE WITH CHAPTER 26, 2022 CBC, NAILING PER TABLE 23.11.6.1, 2022 CBC. WALLBOARD SURFACES TO COMPLY W/ FLAME-SPREAD CLASS B RATING, UNLESS OTHERWISE SPECIFIED IN THE PLANS. INSTALL 1/2" GYPSUM WALLBOARD AT ALL INTERIOR WALLS (EXCEPT USE 1/2" WATER-RESISTANT WALL BOARD BEHIND CERAMIC TILE & OTHER AREAS THAT MAY BE AFFECTED BY WATER). 5/8" GYPSUM WALL BOARD ON CEILINGS WHERE JOIST SPACING IS 24" O.C. (OR 12" WHERE SPACING IS 16" O.C.). 5/8" GYPSUM BOARD TYPE "X" ON CORNER WALLS BETWEEN GARAGE & RESIDENTIAL (REMANDER OF CEILING & WALLS IN GARAGES MAY BE 1/2" W/ 98" TYPE "X" STOPPING AT CEILING ON COMMON WALLS)
4. MASONRY VENEER SHALL COMPLY W/ CBC 2022, INCLUDING APPROVED BACKINGS & ANCHORAGE W/ GALVANIZED ANCHORS (1/2" GAUGE X 1/2" LONG) AT 16" O.C. BOTH WAYS.
5. THE FOLLOWING ITEMS SHALL BE INSTALLED PER CONTRACT BETWEEN CLIENT & SUBBER:
 - A. PAINTING & DECORATING
 - B. DOORS & WINDOWS (SHALL COMPLY W/ INSTALLATION STANDARDS OF TITLE 24, CALIF.)
 - C. FINISH HARDWARE & FIXTURES
 - D. PLUMBING FIXTURES & APPLIANCES
 - E. CEMENTRY & COUNTERTOPS
 - F. FLOOR FINISHES INCLUDING CARPET, VINYL, LINOLEUM, TILE &/OR AGGREGATE
 - G. LANDSCAPING, PAVING, PLANTWORK & FENCING

Roof Covering Notes:

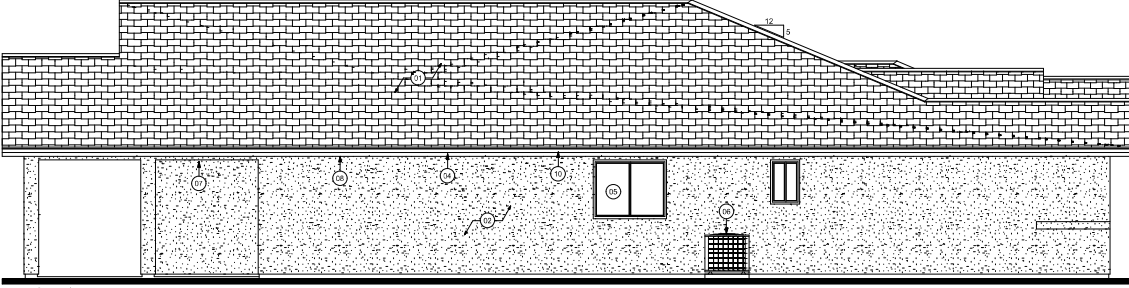
- A. ROOF COVERING TO CONFORM TO CBC STANDARDS
- B. ROOF COVERING TO BE INSTALLED IN ACCORDANCE W/ MANUF. INSTRUCTIONS & CBC TABLES. ALL NAILS TO BE GALV. OR COPPER
- C. PROVIDE A SPRAY ARRESTOR (TYP) @ ALL FIREPLACES
- D. THE INSTALLER SHALL PROVIDE CERTIFICATION OF THE ROOF COVERING CLASSIFICATION TO BUILDING DEPT. BEFORE THE WORK CAN BE FINISHED
- E. CLASSIFICATION W/ ROCK MATERIAL REQUIRED: MIN.
- F. 3/16" & 7/16" WATERBOARD, ORIENTED STRAND BOARD & PARTICLE BOARD REQUIRE 1 T.G.
- G. EDGES OR MUST BE SUPPORTED BY BLOCKING OR EDGE CLIPS
- H. MASONRY VENEER TO COMPLY W/ 2022 CBC



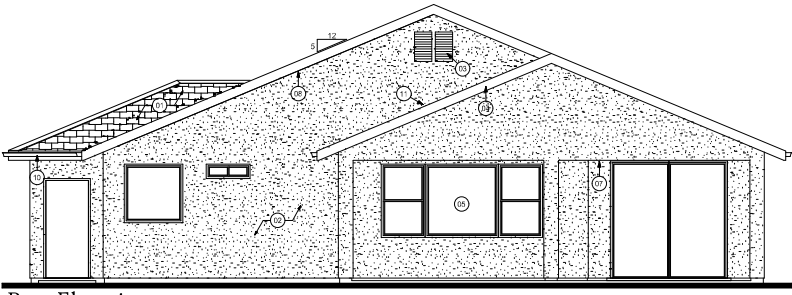
Front Elevation
SCALE: 1/4" = 1'-0"



Right Elevation
SCALE: 1/4" = 1'-0"



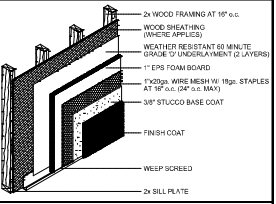
Left Elevation
SCALE: 1/4" = 1'-0"



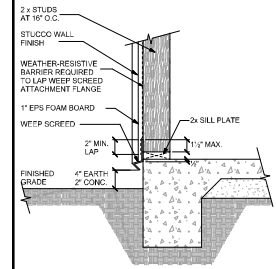
Rear Elevation
SCALE: 1/4" = 1'-0"

KEYNOTES

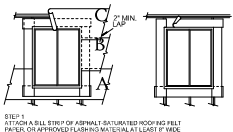
01. ROOF AREA SHALL BE COVERED W/ TILE OVER MIN. 30# FELT, ATTACHED W/ COPPER OR GALV. NAILS. ROOF COVERING IS TO CONFORM TO CBC STANDARDS.
02. STUCCO SYSTEM MANUFACTURER: WESTERN 1-NOTE EXTERIOR STUCCO SYSTEM ICC REPORT # ESR-1607 (a) 1/2" WIRE MESH AND FELT OR 2 LAYERS GRADE "D" PAPER 5/8" X 8" FOAM BOARD BEHIND ALL 1 COAT (SEE ELEVATION NOTES).
03. GABLE-END VENT W/ 1/4" GALVANIZED MESH (REFER TO ATTIC VENT CALC FOR STYLE & SIZE).
04. 2x6 FASCIA TYPICAL THRUOUT.
05. ALL WINDOWS TO BE DUAL GLAZED (VERIFY MANUFACTURER & SIZE W/ GENERAL CONTRACTOR).
06. A/C CONDENSING UNIT, SETTING ON A 3" TALL CEMENT SLAB.
07. STUCCO UNDERSIDE OF THE PATIO AND PORCH CEILING w/ HIGH RIBBED LATH.
08. BOX & STUCCO UNDER OVERHANG w/ HIGH RIBBED LATH.
09. BOARD & BATTON INSTALLED PER CBC.
10. 1" RAIN GUTTER TO BE INSTALLED.
11. FLASHING & COUNTER FLASHING @ ROOF TO WALL CONNECTION.



One Coat Stucco Detail



Weep Screenshot Detail



Window Flashing Detail

DMP DEVELOPMENT CORP.
2001 Howard Rd. Ste. 211
Madera CA 93637 (559) 673-6931

SHEET TITLE
ELEVATIONS "A"
DMP DEVELOPMENT CORP.
(JOB - DMP2232)
2232 STANDARD PLAN

2/14/2023
JOB NO: DMP2232
DRAWN BY: MDP
SHEET NO: A-3
DATE: 04/25/23

[illegible]

A. ROOF COVERING TO CONFORM TO CBC STANDARDS.

B. ROOF COVERING TO BE INSTALLED IN ACCORDANCE W/ MANUF. INSTRUCTIONS & CBC TABLES. ALL NAILS TO BE GALV. OR COPPER.

C. PROVIDE A SPARK ARRESTOR (TYP.) @ ALL FIREPLACES.

D. THE INSTALLER SHALL PROVIDE CERTIFICATION OF THE ROOF COVERING CLASSIFICATION TO BUILDING DEPT., BEFORE THE WORK CAN BE FINISHED.

E. CLASSIFICATION 'A' ROOF MATERIAL REQUIRED. MIN.

F. 3/16" & 7/16" WAFERBOARD, ORIENTED STRAND BOARD & PARTICLE BOARD REQUIRED T.A.G.

G. EDGES OR MUST BE SUPPORTED W/ BLOCKING OR EDGE CLIPS.

H. MASONRY VENEER TO COMPLY W/ 2022 CBC.



DMP DEVELOPMENT CORP.
2001 Howard Rd. Ste. 211
Madera CA 93637 (559) 673-6931

PROJECT TITLE:
**DMP DEVELOPMENT CORP.
(JOB - DMP2418)
2418 STANDARD PLAN**

SHEET TITLE:
ELEVATIONS "A"

2/14/2023

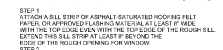
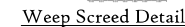
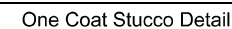
OR NO.: DMP2415A

ISSUED BY: MAP

SHEET NO.: A-3

OF SHEETS

DATE:



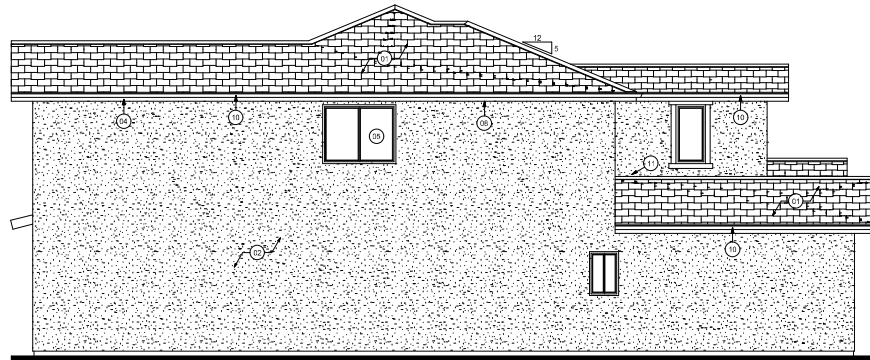
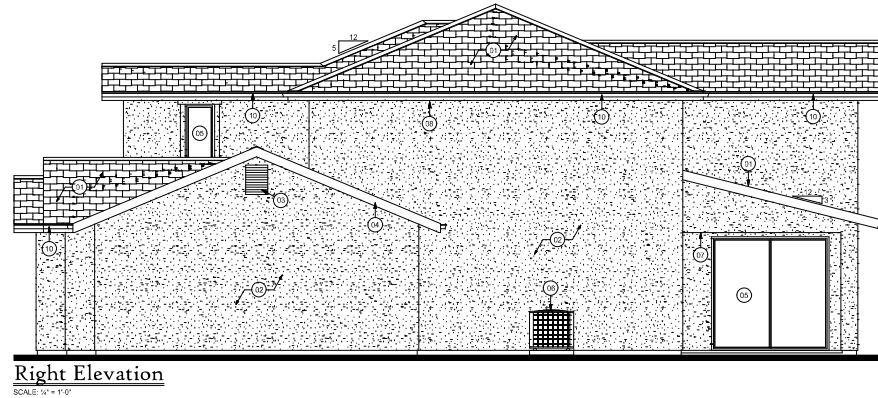
Window Flashing Detail

Notes:

1. STUCCO SYSTEM MANUFACTURER'S WESTERN 1-NOTE STUCCO ICC REPORT # ESR-1607
2. INSTALL STUCCO WEEP SCREDS NOT CLOSER THAN 4" ABOVE EARTH NOR 2" ABOVE PAVED SURFACES
3. INSTALL GYPSUM (DRYWALL) WALLBOARD IN ACCORDANCE WITH CHAPTER 26, 2022 CBC. FOLLOW PER TABLE 211.3.1 (2022 CBC). WALLBOARD SURFACES TO COMPLY w/ FLAME-SPRINKLER CLASS B RATINGS, UNLESS OTHERWISE SPECIFIED IN THE PLANS. INSTALL 1/2" GYPSUM WALLBOARD AT ALL INTERIOR WALLS EXCEPT USE 5/8" WATER RESISTANT WALL BOARD BEHIND CERAMIC TILE & OTHER AREAS THAT MAY BE ADVERSELY AFFECTED BY WATER. 5/8" GYPSUM WALL BOARD ON CEILING WHERE JOIST SPACING IS 24" O.C., OR 1/2" WHERE SPACING IS 16" O.C.
4. MASONRY VENER SHALL COMPLY w/ CBC 2022, INCLUDING APPROVED BACKING & ANCHORING w/ GALVANIZED ANCHORS 1/2" DIA. X 2-1/2" LONG AT 16" O.C. BOTH WAYS.
5. THE FOLLOWING ITEMS SHALL BE INSTALLED PER CONTRACT BETWEEN CLIENT & BUILDER:
 - A. PAINTING & DECORATING
 - B. DOORS & WINDOWS (SHALL COMPLY w/ INFILTRATION STANDARDS OF TITLE 24, CALIF.)
 - C. FINISH HARDWARE & FIXTURES
 - D. PLUMBING FIXTURES & APPLIANCES
 - E. CABINETS & COUNTERTOPS
 - F. FLOOR FINISHES INCLUDING CARPET, VINYL, LINOLEUM, TILE & OR AGGREGATE
 - G. LANDSCAPING, FENCING, PLAYGROUND & FENCINGS

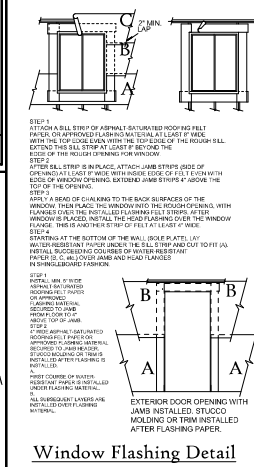
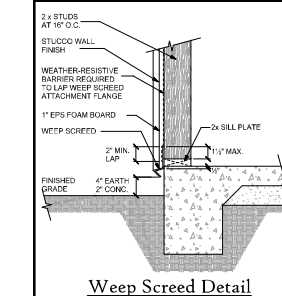
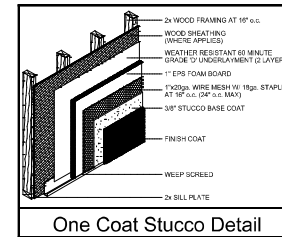
Roof Covering Notes:

- A. ROOF COVERING TO COMPLY w/ CBC STANDARDS
- B. ROOF COVERING TO BE INSTALLED IN ACCORDANCE w/ MANUF. INSTRUCTIONS & CBC TABLES. ALL NAILS TO BE GALV. OR COPPER.
- C. PROVIDE A SPRINK ARRESTOR (TYP.) @ ALL FIREPLACES.
- D. THE INSTALLER SHALL PROVIDE CERTIFICATION OF THE ROOF COVERING CLASSIFICATION TO BUILDING DEPT. BEFORE THE WORK CAN BE FINISHED.
- E. CLASSIFICATION A' ROOF MATERIAL REQUIRED MIN.
- F. 3/16" & 7/16" WATERBOARD, ORIENTED STRAND BOARD & PART CLE BOARD REQUIRE T&G.
- G. JOISTS OR MUST BE SUPPORTED w/ BLOCKING OR FLOOR CLIPS.
- H. MASONRY VENER TO COMPLY w/ 2022 CBC.



KEYNOTES

01. ROOF AREA SHALL BE COVERED w/ TILE OVER MIN. 30# FELT, ATTACHED w/ COPPER OR GALV. NAILS. ROOF COVERING IS TO CONFORM TO CBC STANDARDS.
02. STUCCO SYSTEM MANUFACTURER'S WESTERN 1-NOTE EXTERIOR STUCCO SYSTEM ICC REPORT # ESR-1607 (a) 1/2" WIRE MESH AND FELT OR 2 LAYERS GRADE 17 PAPER 50# PS FOAM BOARD BEHIND ALL 1 COAT (SEE ELEVATION NOTES).
03. GABLE-END VENT w/ 1/4" GALVANIZED MESH (REFER TO ATTIC VENT CALCUS FOR STYLE & SIZE).
04. 2x6 FASCIA TYPICAL THRUOUT.
05. ALL WINDOWS TO BE DUAL GLAZED (VERIFY MANUFACTURER & SIZE w/ GENERAL CONTRACTOR).
06. A/C CONDENSING UNIT, SETTING ON A 3" TALL CEMENT SLAB.
07. STUCCO UNDERSIDE OF THE PATIO AND PORCH CEILING w/ HIGH RIBBED LATH.
08. BOX & STUCCO UNDER OVERHANG w/ HIGH RIBBED LATH.
09. BOARD & BATTON INSTALLED PER CBC.
10. 1" RAIN GUTTER TO BE INSTALLED.
11. FLASHING & COUNTER FLASHING @ ROOF TO WALL CONNECTION.



DMP DEVELOPMENT CORP.
2001 Howard Rd. Ste. 211
Madera CA 93637 (559) 673-6931

SHEET TITLE
ELEVATIONS "A"

PROJECT TITLE
**DMP DEVELOPMENT CORP.
(JOB - DMP2519)
2519 STANDARD PLAN**

2/14/2023

JOB NO. DMP2519A
DRAWN BY: MDP
CHECKED BY:

A-3

DATE: 04/25/23

Notes:

- STUCCO SYSTEM MANUFACTURERS' WESTERN 1-KOTE STUCCO ICC REPORT # ESR-1607
- INSTALL STUCCO WEEP SCREDS NOT CLOSER THAN 4" ABOVE EARTH NOR 2" ABOVE PAVED SURFACES
- INSTALL GYPSUM DRYWALL WALLBOARD IN ACCORDANCE WITH CHAPTER 25, 2022 CBC. NAILING PER TABLE 25-114.1, 2022 CBC. WALLBOARD SURFACES TO COMPLY 1/4" FLAME-SPREAD CLASS R RATING UNLESS OTHERWISE SPECIFIED IN THE PLANS. INSTALL 1/2" GYPSUM WALLBOARD AT ALL INTERIOR WALLS EXCEPT USE 1/2" WATER-RESISTANT WALL BOARD BEHIND CERAMIC TILE & OTHER AREAS THAT MAY BE ADVERSELY AFFECTED BY WATER. 5/8" GYPSUM WALL BOARD ON CEILINGS WHERE JOIST SPACING IS 24" O.C. (60 1/2" WHERE SPACING IS 19" O.C.). A 5/8" GYPSUM BOARD TYPE "X" ON COMMON WALLS BETWEEN GARAGE & RESIDENCE (REMANDER OF CEILING & WALLS IN UNITS MAY BE 1/2" w/ 5/8" TYPE "X" STOPPING AT CEILING ON COMMON WALL.)
- MASONRY VENEER SHALL COMPLY w/ CBC 2022, INCLUDING APPROVED BACKING & ANCHORAGE w/ GALVANIZED ANCHORS (12 GAUGE X 2 1/2" LONG) AT 16" O.C. BOTH WAYS.
- THE FOLLOWING ITEMS SHALL BE INSTALLED FOR CONTRACT BETWEEN CLIENT & BUILDER:
 - PAINTING & DECORATING
 - DOORS & WINDOWS (SHALL COMPLY w/ INFILTRATION STANDARDS OF TITLE 24, CALIF.)
 - FURNISH HARDWARE & FIXTURES
 - PLUMBING FIXTURES & APPLIANCES
 - CABINETS BY A COUNTIES
 - FLOOR FINISHES INCLUDING CARPET, VINYL, LINOLEUM, TILE OR AGGREGATE
 - LANDSCAPING, PAVING, FENCEWORK & FENCING

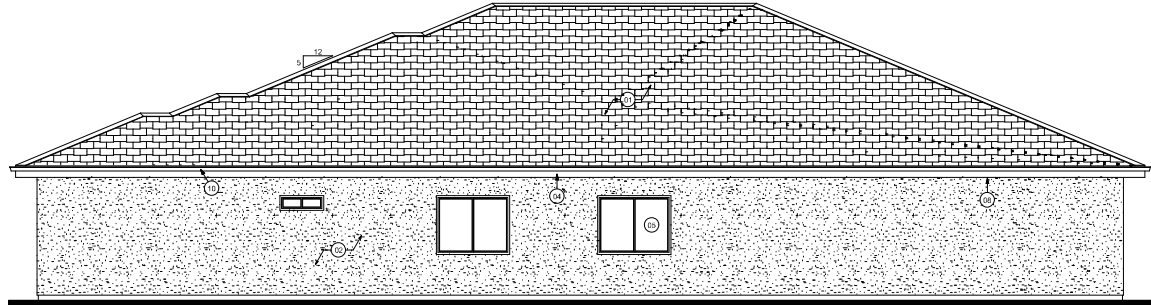
Roof Covering Notes:

- ROOF COVERING TO CONFORM TO CBC STANDARDS
- ROOF COVERING TO BE INSTALLED IN ACCORDANCE w/ MANUF. INSTRUCTIONS & CBC TABLES. ALL NAILS TO BE GALV OR CORROD.
- PROVIDE A SPARK ARRESTOR (TYP.) @ ALL FIREPLACES
- THE INSTALLER SHALL PROVIDE CERTIFICATION OF THE ROOF COVERING CLASSIFICATION TO BUILDING DEPT. BEFORE THE WORK CAN BE FINISHED.
- CLASSIFICATION "A" ROOF MATERIAL REQUIRED MIN.
- 3/8" & 1/2" WOODBOARD, ORIENTED STRAND BOARD & PARTICLE BOARD REQUIRE T&G.
- EDGES OR MUST BE SUPPORTED w/ BLOCKING OR EDGE CLIPS.
- MASONRY VENEER TO COMPLY w/ 2022 CBC.



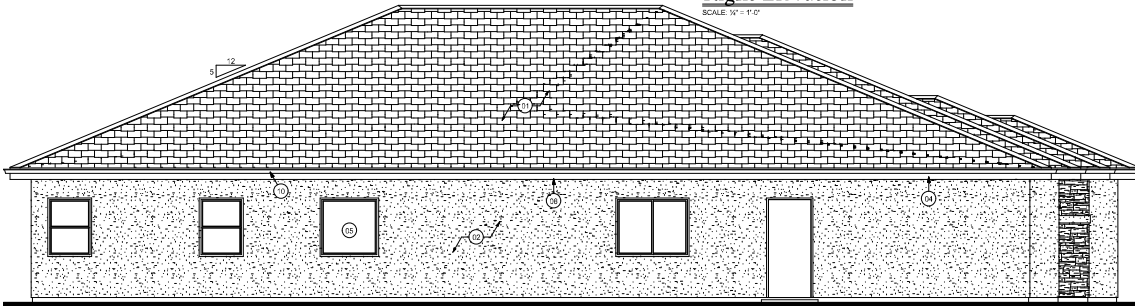
Front Elevation

SCALE: 1/4" = 1'-0"



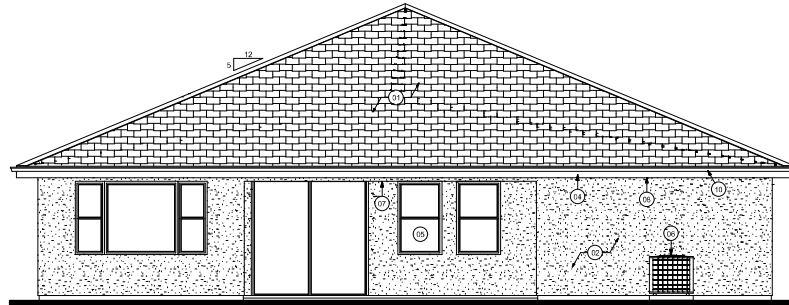
Right Elevation

SCALE: 1/4" = 1'-0"



Left Elevation

SCALE: 1/4" = 1'-0"

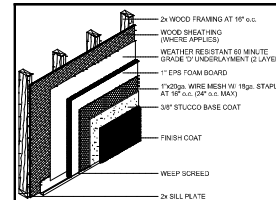


Rear Elevation

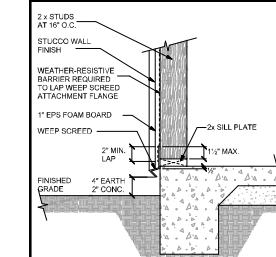
SCALE: 1/4" = 1'-0"

KEYNOTES

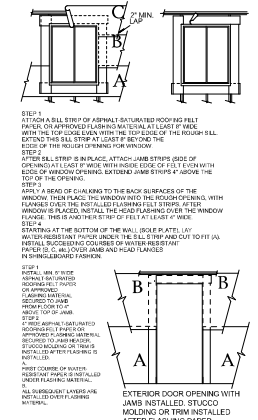
- ROOF AREA SHALL BE COVERED w/ TILE OVER MIN. 30# FELT, ATTACHED w/ COPPER OR GALV. NAILS. ROOF COVERING IS TO CONFORM TO CBC STANDARDS.
- STUCCO SYSTEM MANUFACTURERS' WESTERN 1-KOTE EXTERIOR STUCCO SYSTEM ICC REPORT # ESR-1607 (a) 1/2" WIRE MESH AND FELT OR 2 LAYERS GRADE 40 PAPER 50# PS FOAM BOARD BEHIND ALL 1 COAT (SEE ELEVATION NOTES).
- DORMER VENT w/ 1/4" GALVANIZED MESH (REFER TO ATTIC VENT CALCUS FOR STYLE & SIZE).
- 2x6 FASCIA TYPICAL THRUOUT.
- ALL WINDOWS TO BE DUAL GLAZED (VERIFY MANUFACTURER & SIZE w/ GENERAL CONTRACTOR).
- A/C CONDENSING UNIT, SETTING ON A 3" TALL CEMENT SLAB.
- STUCCO UNDERSIDE OF THE PATIO AND PORCH CEILING w/ HIGH RIBBED LATH.
- BOX & STUCCO UNDER OVERHANG w/ HIGH RIBBED LATH.
- STONE VENEER INSTALLED PER CBC.
- 5" RAIN GUTTER TO BE INSTALLED.



One Coat Stucco Detail



Weep Screenshot Detail



Window Flashing Detail

DMP DEVELOPMENT CORP.
2001 Howard Rd. Ste. 211
Madera CA 93637 (559) 673-6931

SHEET TITLE
ELEVATIONS "A"

DMP DEVELOPMENT CORP.
(JOB - DMP2680)
2680 STANDARD PLAN

2/14/2023

JOB NO. DMP2680AT
DRAWN BY: MDP
SHEET NO.

A-3

DATE: 04/25/23

ATTACHMENT 5

Planning Commission Resolution for

PPL 2025-01

Includes Exhibit "A": Conditions of Approval

EXHIBIT "A"
Precise Plan (PPL) 2025-01
(VINEYARD WEST III)
CONDITIONS OF APPROVAL
April 08, 2025

Notice to Applicant

Pursuant to Government Codes Section 66020(d)(1) and/or Section 66499.37, any protest related to the imposition of fees, dedications, reservations, or exactions for this project or any proceedings undertaken regarding the City's actions taken or determinations made regarding the project, including but not limited to validity of conditions of approval must occur within ninety (90) calendar days after the date of decision. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

IMPORTANT: PLEASE READ CAREFULLY

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions

to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed by the applicant to the City Council within ten (10) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this permit.

GENERAL CONDITIONS:

1. 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.
2. Approval is not an authorization to commence construction. On- and off-site improvements, building construction, sign erection or occupancy shall not be permitted without prior approval of the City through issuance of any required grading or building permits.
 - a. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
3. Deferrals are not permitted for any condition included herein, unless otherwise stated or unless approved by the City Council, through a separate deferral process.
4. Approval of this application is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or

annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively “claim”).

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City’s attorneys’ fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

PLANNING DEPARTMENT

General

5. PPL 2025-01 is approved subject to the Conditions of Approval for Tentative Subdivision Map (TSM) 2020-04, inclusive and incorporated herein by reference.
 - a. The project shall comply with all previous conditions stated in TSM 2020-04.
 - b. Design of improvements within the limits of the tentative map and the development of dwelling units thereon shall adhere to the development standards and details identified within Precise Plan (PPL) 2025-01. Any proposed amendments to the Precise Plan shall require a revision of the Precise Plan.
 - ❖ Minor, non-substantive, revisions may be considered and approved by the Development Director. Changes to development standards shall require Commission approval. The Director reserves the right to forward any consideration for revision to the Precise Plan to the Planning Commission for consideration.
6. Except as specifically provided herein, development shall comply with all development standards of the City Municipal Code (CMC) applicable to development within the R-1 (Residential) zone district.
7. Vandalism and graffiti shall be corrected in accordance with the provisions of the Madera Municipal Code.

Plan Models

8. The following plan models have been reviewed and approved by the Planning and Building Departments and are permissible for construction within the boundaries of the planned development subject to compliance with applicable development standards:

Model Plan	Sq. Ft.	Bedrooms	Bathrooms	Garage
2130	3,095	3	2 + half bath	Subordinate
2232	3,307	4	2	Subordinate
2418	3,123 (Two-Story)	4	2 + half bath	3 Car Garage
2519	3,380	4	3	3 Car Garage
2680	3,549	4	3	Subordinate

9. Each dwelling unit shall be constructed consistent with approved standard plan elevations including color and materials selections as may be included therein. Any change to elevations and/or materials shall be approved by the Planning Department and shall be included in the Precise Plan.
10. All roof shingles with the exception of patio covers shall be ceramic or tile (no composition).
11. The following criteria shall be applied to the location of homes on individual lots:
- The appearance of a home is affected by at least three (3) primary features, including:
 - Home Model Plan;
 - Alternative Elevations for Each Plan; and
 - Color
 - Dwelling units built on side-by-side lots shall not repeat more than one (1) of the primary home features identified above. Model floor plans shall not be repeated on more than two (2) consecutive lots.

Yard Requirements (Setbacks)

12. Front Yards. No portion of any building shall be constructed nearer than 15 feet to the front property line; with the following exceptions:
 - a. In no case shall garages with doors facing the street or carports be setback less than 20 feet.
 - b. For irregularly configured lots (i.e., lots for which the intersecting property lines are not substantially perpendicular and/or where opposing property lines are not substantially parallel, a minimum 10-foot front yard setback may be provided.
 - c. A minimum 3-foot variation in the front yard setback shall be provided between any two adjacent lots regardless of home model plan.
 - d. In no case shall new structures be setback more than 20 feet or greater than 110 percent of the average of the actual front setbacks of all lots on such blockface, whichever is greater.
13. Interior Side Yards. The minimum setback for any required interior yard shall not be less than five feet; except as follows:
 - a. A setback of not less than three (3) feet may be provided for one interior side yard if the opposite side yard provides a minimum 5-foot setback).
 - i. Where a setback of less than five feet is provided for an interior side yard, no mechanical equipment, accessory structures or other obstructions shall be located within either interior side yard resulting in manner which results in a clearance of less than five feet.
14. Exterior Side Yards. The required exterior (street) side yard shall be not less than 10 feet.
 - a. Garages and carports facing an exterior side yard shall be not less than 20 feet.
15. Rear Yards. The minimum setback for rear yards shall be 10 feet; with the following exceptions:
 - a. The rear yard setback for all lots which back onto Sunset Avenue (a major street) shall be a minimum of 15 feet.
 - b. The rear yard setback for lot 16 and lots 111 through 119 (lots abutting existing residential development) shall be a minimum of 15 feet.
16. Approval of an Easement Encroachment is required if any portion of a structure (including roof eaves) is proposed to encroach into a public utility easement.
17. All standards for the location and design of buildings (including accessory structures) and fences which are not specifically included and made a part of PPL 2025-01, shall conform to R1 (Residential) zoning standards.

Fences and Walls

18. A six-foot high decorative masonry block wall shall be constructed along the Sunset Avenue and Riverview Drive frontages.
19. All fencing and walls shall be properly maintained so as not to create a hazard, public nuisance or blight in the surrounding neighborhood.

Open Space

20. For each residential unit in a planned residential development there shall be provided a minimum of 750 square feet of open space exclusive of drives and off-street parking.

Landscaping

21. Landscaping and irrigation plans shall be submitted along with building plans for plan check review. The landscaping plans will need to be drawn and stamped by a California Landscaping Architect.
22. Landscape and irrigation plan shall be prepared by a licensed Landscape Architect and submitted as part of the submittals for a building permit. Landscape and irrigation plans shall comply with all the specific landscape requirements and be approved by the Planning Department, unless specific deviation from the standards are approved by the Planning Manager, prior to issuance of building permits. The plans shall:
 - a. Demonstrate compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO);
 - b. Provide permanent automatic irrigation systems for all landscaped areas with design to have moisture and/or rain sensor shutoff (weather based automatic, self-adjusting), minimize irrigation runoff, promote surface infiltration where possible, minimize the use of fertilizers and pesticides that can contribute to storm water pollution;
 - c. Provide vegetative matter coverage of a minimum of seventy percent (70%) of all landscaped areas;
 - d. Street trees shall be planted at a maximum thirty (30) foot intervals. Street tree selection shall be from the City's "Approved City Street Tree List." Trees must be established to the satisfaction of the Planning Manager after five (5) years or shall be enhanced or replaced subject to the above condition for a further five (5) year period of establishment or to the Planning Managers satisfaction;
 - e. Locate landscape material in such a way that it does not interfere with utilities above or below ground. All existing and proposed site utility features shall be fully screened with landscaping at appropriate clearances. A detail of screening shall be included on the plans and approved prior to building permit issuance and subject to Planning Manager review; and

- f. Provide detailed planting lists for all landscaping, with the number, size, spacing (where applicable) and species of all plant life and groundcover, as well as tree staking, soil preparation techniques for all landscaped areas.
 - g. Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff, particularly the use of flow through planters from areas of impermeable paving (such as parking and circulation areas). In areas of water detention, species shall be tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
 - h. Anti-graffiti landscaping shall be incorporated along the frontages of all masonry walls that face a public street. Features such as clinging vines and shrubs shall be proposed.
- 23. The park strip along Sunset Avenue shall incorporate street trees at the appropriate distance stated in the city's approved street tree list. Landscaping bark shall not be permitted along the Sunset Avenue park strip. The street trees shall be planted along with shrubbery and/or include turf.
- 24. The pedestrian paseo (pedestrian and utilities easement) located between Lot 31 and Lot 30 shall be landscaped on each side of the pedestrian walkway.
 - a. With the exception of anti-graffiti climbing vines, hedges or shrubs planted adjacent to the pedestrian walkway shall not exceed a height of four feet. The planting of shade trees is acceptable.
- 25. The property owner shall maintain all landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.

END OF CONDITIONS

RESOLUTION NO. 2025

**RESOLUTION OF THE CITY OF MADERA PLANNING COMMISSION
DETERMINING THE PROJECT WAS PREVIOUSLY ASSESSED FOR
COMPLIANCE WITH THE REQUIREMENTS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) AND NO FURTHER
DOCUMENTATION IS REQUIRED; AND, APPROVING PRECISE PLAN
(PPL) 2025-01**

WHEREAS, DMP Development, Corporation (“Applicant”) submitted an application for a Precise Plan (PPL 2025-01) pertaining to ±30.45 acres of property located on the northwest corner of Sunset Avenue and Caitlan Drive (“Project Site”); and

WHEREAS, the site is designated for Low Density Residential (2.1-7.0 dwelling units per acre) land uses on the Madera General Plan Land Use Map and is zoned PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and PD-6000 (Planned Development, one unit for each 6,000 square feet of site area); and

WHEREAS, pursuant to the provisions of Section 10-3-4.100 et seq. of the City Municipal Code (CMC), a Precise Plan is required for development within the Planned Development Zone districts; and

WHEREAS, PPL 2025-01 has been submitted in compliance with the provisions of the CMC pertaining to development within the Planned Development zone districts and shall establish development standards for all lots within the Vineyard West Phase III subdivision (TSM 2020-04); and

WHEREAS, this project was previously assessed in accordance with the provisions of the California Environmental Quality Act (“CEQA”) resulting in preparation of a Mitigated Negative Declaration including a Mitigation Monitoring and Reporting Program, which has been circulated, and made available for public review and adopted pursuant to CEQA and the City of Madera Municipal Code (CMC); and

WHEREAS, pursuant to the provisions of the City’s Municipal Code, the Planning Commission (Commission) is authorized to review and approve precise plan applications and environmental assessments for associated projects on the behalf of the City; and

WHEREAS, the City provided notice of the Planning Commission hearing held on April 08, 2025, as required by law; and

WHEREAS, the Commission received and reviewed Precise Plan 2025-01 at the duly noticed meeting on April 08, 2025; 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 Commission; and

WHEREAS, after due consideration of all the items before it, the Commission now desires to adopt this Resolution determining no further environmental documentation for CEQA is required and approving Precise Plan (PPL 2025-01), subject to the findings and conditions of approval.

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. The Planning Commission finds that pursuant CEQA Guidelines § 15162 subsequent environmental review is not required for PPL 2025-01 based on the following:
 - a. No substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration (MND) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the Planning Commission approved the MND prior to the adoption of this Resolution. PPL 2025-01 is consistent with the same intensity, uses, operations and is exactly as contemplated by the MND. As such, proposed PPL 2025-01 will have the same environmental impacts as assessed in the MND.
 - b. No substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, PPL 2025-01 is exactly consistent with the MND and was specifically contemplated by it. Additionally, PPL 2025-01 allows for the implementation of the planned development subdivision (TSM 2020-04) project approved by the Planning Commission as part of the approval of the MND, property will continue to be used for single family residential use as originally contemplated by the MND, and there are no new substantial changes in the physical environment that were not anticipated in the MND, including its analysis in light of the development contemplated.
 - c. There is no new information, which was not known and could not have been known at the time of the previous mitigated negative declaration that the project will have significant effect not discussed in the MND. PPL 2025-01 will not have any more significant effects than that already discussed and assessed in the MND, and was specifically contemplated by the MND. Furthermore, since a MND was previously adopted for the project, 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, the Planning Commission determines that this project has already been environmentally assessed and no further environmental documentation is required for PPL 2025-01.

3. Findings for PPL 2025-01: The Commission finds and determines that there is substantial evidence in the administrative record to support the approval of PPL 2025-01. The project has been conditionally approved to be consistent with the requirements of the Municipal Code, including Section 10-3-4.103 (Precise Plans). The 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:

Finding a: The proposal is consistent with the General Plan and Zoning Ordinance.

The project site is zoned PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and PD-6000 (Planned Development, one unit for each 6,000 square feet of site area). Precise Plan No. PPL 2025-01 has been filed to comply with the provisions of Section 10-3-4.100 et seq. of the City Municipal Code (CMC) pertaining to development within the Planned Development zone districts and will establish the development standards and design criteria applicable to the project site in a manner which allow maximum design flexibility within the density limitations of the General Plan, consistent with the intent of the City Municipal Code.

PPL 2025-01 facilitates development of the project site which was approved for purposes of creating a 137-lot single family residential planned development subdivision in accordance with Tentative Subdivision Map (TSM) 2020-04. Pursuant to the provisions of the California Government Code, TSM 2020-04 was found to be consistent with the Madera General Plan by the Planning Commission prior to its approval.

Finding b: The proposed use will be compatible with the surrounding properties.

The ±30.45 acre project site is suited for residential development as it is zoned PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and PD-6000 (Planned Development, one unit for each 6,000 square feet of site area) consistent with Low Density Residential (2.1-7.0 dwelling units per acre) land use designation of the Madera General Plan. The subdivision has been previously approved and analyzed to be consistent with the surrounding neighborhood.

Finding c: The establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

Precise Plan 2025-01 will establish development and design standards for the subdivision to ensure the health, safety, peace, morals, comfort, and general welfare of people residing. The proposed use is compatible with surrounding

properties as established with the approval of the tentative subdivision maps and environmental assessment and as conditioned pursuant to PPL 2025-01. The subdivision has been conditioned to be consistent with the existing neighborhood and has been required to make public improvements to ensure adequate public facilities, including provision of services, and will not result in a detriment to the health, safety, peace, morals, comfort, or general welfare of people residing or working in the neighborhood.

4. Approval of PPL 2025-01: Given that all findings can be made, the Commission hereby adopts to approve PPL 2025-01 as conditioned as set forth in the Conditions of Approval attached as Exhibit "A".

5. Effective Date: This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 8th day of April 2025,
by the following vote:

AYES:

NOES:

ABSTENTIONS:

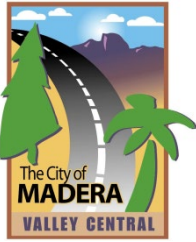
ABSENT:

Robert Gran Jr.
Planning Commission Chairperson

Attest:

Will Tackett
Community Development Director

Exhibit "A" – Conditions of Approval for PPL 2025-01.



REPORT TO THE PLANNING COMMISSION

Prepared by:

Robert Smith, Senior Planner

Meeting of: April 8, 2025

Agenda Number: 3

SUBJECT:

Consideration of an application for a Tentative Subdivision Map (TSM 2024-05), and Precise Plan (PPL 2024-04) pertaining to ± 29.08 acres of property located on the east side of Tozer Street (Rd. 28) between Avenue 13½ and East Pecan Avenue (Avenue 13) (APN: 011-370-005).

RECOMMENDATION:

Conduct a public hearing and adopt:

1. A Resolution of the Planning Commission of the City of Madera adopting the Mitigated Negative Declaration (SCH No. 2025030734) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines; and approving TSM 2024-05 and PPL 2024-04, subject to the findings and conditions of approval.

SUMMARY:

The applicant, Joseph Crown Construction, has submitted applications for a Tentative Subdivision Map (TSM 2024-05) and Precise Plan (PPL 2024-04) proposing to subdivide ± 29.08 gross acres of property located on the east side of Tozer Street (Rd. 28) between Avenue 13½ and East Pecan Avenue (Avenue 13) (APN: 011-370-005), the "project site," to create a 168-lot single family residential planned development subdivision at a density of ± 7.6 dwelling units per acre.

The project site is zoned PD-6000 (Planned Development, one unit for each 6,000 square feet of site area) (Attachment 3). The Madera General Plan designates the project site for Medium Density Residential (7.1-15 dwelling units per acre) and Neighborhood Mixed Use land uses (Attachment 2). The proposed subdivision Map, PD Standards, and density are consistent with the Zoning and Land Use designation requirements.

City Municipal Code (CMC) § 10-3-4.101(A) & (B) provide, the purpose of the PD zones is to authorize and regulate density of planned developments and other residential subdivisions. The PD Zoning is intended to allow use of special design criteria for maximum utility of the site and to allow maximum design flexibility within the density limitations of the General Plan and Zoning Regulations. Variations from normal zoning standards may be considered and special residential design standards may be established which regulate the subdivision rather than typical

residential standards of the Municipal Code. PPL 2024-04 will set the development standards for the subdivision as set forth in the project conditions of approval.

An overview of the proposed project and project site characteristics are provided in Table 1 below.

Table 1: Project Overview	
<i>Project Number:</i>	TSM 2024-05; PPL 2024-04
<i>Applicant/Property Owner:</i>	Joseph Crown Construction
<i>Location:</i>	East of State Highway 99, north Road 28, West of Robbins Lane (APN 011-370-005); existing residential to the east, State Highway to the west and residential and vacant farmland to the north and south.
<i>Project Area:</i>	±29.08 gross acres / ±23.56 net acres
<i>Planned Land Use:</i>	(±28.08 ac.): Medium Density Residential (7.1-15 dwelling units/acre) (±1.0 ac.): Neighborhood Mixed Use
<i>Zoning District:</i>	PD 6,000 (Planned Development, one unit for each 6,000 square feet of site area)
<i>Site Characteristics</i>	The project is located on land that was previously used for agriculture. Planned land use bordering the site are Low Density Residential.

ANALYSIS:

Site Characteristics:

The project site is located within the southeastern portion of the City, within the existing City limit, east of Highway 99. The project site consists of a former tree orchard with a long history of agricultural disturbance. The site is devoid of most native and non-native species naturally occurring in this area. The plant diversity in this habitat is low and is composed primarily of non-native grasses and other ruderal plants.

The site is located outside the Federal Emergency Agency (FEMA) 100-year floodplain (FEMA Special Flood Hazard Area, Zone AO). In major storm events, where large amounts of precipitation fall within a 24-hour period, run-off is unlikely to pool in this area.

Surrounding Land Uses:

Road 28 borders the project site to the west and south. The incorporated City boundary limit forms part of the project site's northerly boundary and all of the easterly boundary. Substantial acreage remains vacant to the north on remnant rural residential parcels; most of which have been developed with a single-family residences at rural densities. Large residential parcels which remain primarily vacant are located to the east adjacent and abutting the project site. Properties to the south, across Pecan Avenue (Avenue 13) currently comprise active farmland but have been

planned for future urban uses within the Southeast Madera Development Master Plan and State Center Community College Specific Plan.

Table 2 below summarizes the existing development/uses, the General Plan land use designations and zoning districts surrounding the proposed project site. The zoning districts identified in Table 2 include both City and County zone districts based on where the City limit boundary abuts the project site.

Table 2: Bordering Site Information			
<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Vacant & Residential	Medium Density Residential & Neighborhood Mixed Use	PD 6,000*
<i>East</i>	Vacant & Residential	Medium Density Residential & Neighborhood Mixed Use	RRS - Residential, Rural, Single Family District (County) PZ-PD-4500 (City prezoning)
<i>South</i>	Agricultural	Resource Conservation (Basin) & Low Density Residential	PF – Public Facilities
<i>West</i>	Commercial / State Route 99 & Railroad	Commercial / State Highway 99 & Railroad	C1 (Light Commercial); CH (Highway Commercial)
*PD 6000 – Planned Development (One unit for each 6,000 square feet of site area) (City)			

Subdivision Map 2024-05:

The map, precise plan, and conditions of approval identify all improvements and development standards associated with the Tentative Subdivision Map for purposes of the planned development. Street right-of-way improvements are proposed to support the development of the subdivision map and connections to existing streets abutting the project site (Exhibit “B” Attachment 5).

TSM 2024-05 proposes lot sizes ranging from a minimum of 3,150 square feet to approximately 5,293 square feet in area. Interior streets within the subdivision will utilize a 50-foot-wide right-of-way cross-section (36-foot-width curb-to-curb with monolithic sidewalk) Major street entryways propose to utilize a 60-foot-wide right-of-way cross-section (40-foot width curb-to-curb). Entryways into the subdivision will provide vehicular and pedestrian access to and from Road 28 on the west and south. A new east-west quarter-mile boundary street will be dedicated along the northern parcel line (Avenue A). This connector street will provide access from the north for the proposed subdivision; and, will facilitate future connectivity toward the center of the quarter corner section which will help facilitate access for future development on adjacent vacant or partially vacant lands. The connector street and local streets surrounding the proposed park will incorporate park strips within the rights-of-way between the curb and sidewalk to

accommodate street tree planting and encourage walkability. Stub street connections are also provided to facilitate future development to the east and north with a system of interconnected local streets; this provides future interconnectivity for pedestrians, reduces impacts on the major street system from traffic generated and contributes to reductions in vehicle miles traveled.

Subdivision Map Act:

The California Subdivision Map Act (Government Code Section 66410, et seq.) establishes most of the procedures for subdivision of land. Other components are contained within Chapter 2 (Subdivisions) of Title 10 (Planning and Zoning) of the Madera Municipal Code. A tentative subdivision map is required in order to subdivide land into five or more parcels.

Pursuant to Government Code Section 66474, a legislative body of a city or county shall deny approval of a vesting map, if it makes any of the following findings:

- a) That the proposed map is not consistent with applicable general plan and specific plans as specified in Section 65451 of the Government Code.
- b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c) That the site is not physically suitable for this type of development.
- d) That the site is not physically suitable for the proposed density of development.
- e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. The subsection shall apply only to easements of record or to easements established by judgement of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The proposal tentative subdivision map meets the requirement of this Government Code Section and the above findings to deny the map can not be made.

Parkland Acquisition:

The Quimby Act authorizes the City to require dedication of parkland or the payment of fees in-lieu of such dedication in set amounts to meet the needs of the citizens of the community for which parkland is required and to further the health, safety and general welfare of the community. The Quimby Act has been in effect since the mid-1970s.

Land dedicated for purposes of satisfying the parkland area requirement stated in Policy PR-1 of the General Plan and in accordance with CMC § 10-2.1300 et seq., for purposes of compliance with California Government Code § 66477 (the “Quimby Act”), shall only include Neighborhood, Community, and Regional Parks, together with Sports Complexes and Special Use Facilities as defined in the City of Madera Parks and Recreation Plan. Pursuant to the provisions of the Parks and Recreation Master Plan, Neighborhood Parks must be at least 3 acres in area.

The project proposes to dedicate a ±1.22-acre public park at the northeastern corner of the project site. While the proposed park area will provide valuable open space amenity to the planned development and is consistent with the Neighborhood Mixed Use planned land use designation for the respective portion of property, the size of the open space (defined as a pocket park) does not meet the minimum requirement for qualification and credit towards the Quimby parkland dedication. Nor are such parks included in a capital facilities fee or other programmed fee. The conditions of approval have identified methods in which the Subdivider/developer may be able to seek reimbursement.

Precise Plan 2024-04:

In accordance with CMC § 10-3-4.103(A), no construction, grading, or new development activity shall commence in any PD Zone prior to the approval of a precise plan of the development by the Planning Commission.

Specific development guidelines and standards for the project site will be created through the precise plan process and are set forth in the project Conditions of Approval. The precise plan development standards will conform with the development standards of R-1 zoning wherever development standards are not specifically identified as set forth in Conditions of approval and by the applicant in the Precise Plan.

General Plan Conformity:

The project site is zoned PD-6000 (Planned Development, one unit for each 6,000 square feet of site area) (Attachment 2). The Madera General Plan designates a ±28.08 gross acre portion of the project site for Medium Density Residential (7.1-15 dwelling units/acre) land uses. (Attachment 3). Policy LU-5 of the General Plan provides that calculations of permitted intensity (density) of development shall be based on the gross acreage, less any acreage required for dedication of major street rights-of-way, public park or public facilities such as master plan flood basins. Based upon these adjusted calculations, the net acreage of the Medium Density Residential planned portion of the project is ±22.13 acres. Based upon this net acreage the proposed 168-lot single-family residential subdivision would yield a density of ±7.6 dwelling units per acre, consistent with the Medium Density Residential range.

The project site is located in Village G of the Madera General Plan, which is comprised of five conceptual neighborhoods. The General Plan Neighborhoods concept is utilized in conjunction with the Village concept as the “Building Blocks” for Madera’s future growth. Policy LU-33 of the General Plan describes these concepts in greater detail. In general, Neighborhoods are compact walkable residential areas with higher density and a small-scale, neighborhood serving activity

center, which is the purpose of the Neighborhood Mixed Use land use designations found dispersed throughout Village G, including at the northeast corner of the project site. The Neighborhood Mixed Use designation applies not only to the northeast corner of the project site but also the respective southeast, southwest, and northwest corner of the abutting four parcels; providing a total planned acreage of ± 4.30 acres for a Neighborhood Mixed Use activity center at the center of quarter corner section. Neighborhood activity centers can include places of interaction such as schools, libraries, community centers, parks that feature activity elements (e.g., playground and athletic courts) or neighborhood serving commercial uses (e.g., small markets, coffee shops, small restaurants, etc. with a total square footage less than 10,000 sq. ft.). The subdivision map proposes to dedicate a ± 1.22 acre portion of the project site designated for Neighborhood Mixed Use for public open space/park purposes. The subdivision design provides a quarter-mile connector street from Tozer Street (Rd. 28) to the planned activity center at the center of the quarter corner section as well as a local street adjacent to the respective frontages of the proposed park space which will collectively provide a system of boundary and stub streets which will provide future vehicular and pedestrian connectivity and which will facilitate logical development of the planned activity center where planned on the adjacent and abutting properties.

The first of the four core vision statements in the Vision Plan is a “well-planned City.” The manner in which the proposed subdivision design and development promotes the Village concept and Building Blocks policies of the General Plan while also affording future interconnectivity which will facilitate future development and contributing to critical neighborhood master plan infrastructure, actively implements this key concept of the Vision Plan. Moreover, approval of the project is specifically consistent with Strategy 131, “Create Well-Planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities and commercial components.”

The proposed lotting pattern and density of TSM 2024-05 demonstrates consistency with the applicable goals and policies of the General Plan. The General Plan also provides direction for the development of homes within the subdivision. The development of homes on individual lots is guided by Action Item CD33.1 which states that final designs within the PD (Planned Development) Zone District are approved as part of a precise plan such as submitted with this application.

Public Infrastructure & Services:

Public infrastructure and utilities required by the City Municipal Code and the Madera General Plan are detailed in the relevant information provided in support of the Subdivision Map.

The additional residential accommodation will generate an increased need for school places. The Madera Unified School District (MUSD) administers school fees for this part of the City. Payment of school development impact fees is a condition of approval of the project. Of the 15 elementary schools, 2 middle schools, 1 high school, 1 alternative school, and 1 continuation school, the closest school to the project site is the Madera high school 2.5 miles directly to the north of the project site. School fees related to this project will be paid directly to MUSD which will mitigate the arrival of new students within this school district.

The Madera County Fire Station #1 is within 1.2 miles of the project site, with an approximate drive time of 4 minutes at non-emergency speeds. Where service requirements exceed what is currently allowed within the City the Fire Department has planned expansion areas where new stations are identified to be required as demand increases.

The Madera Police Department is within 2 miles of the project site, with an approximate drive time of 5 minutes at non-emergency speeds. The Police Department monitors levels of demand within the City and where increased provision is required, the Police may make recommendations for increasing service resources to serve deficiencies.

For this location, the Subdivision will be required to establish a Community Facility District (CFD) under CFD 2005-01 that will account for any increased provision of public services including Fire and Police services, amongst others. This requirement is covered by the project conditions of approval. By Resolution No. 05-334, the City Council established CFD 2005-1, a Mello Roos Community Facilities District with the intention that future development within the City of Madera (City) would annex into this district. The special taxes collected from the property owners within the district are used for the funding of police and fire protection services, storm drain infrastructure maintenance and operations, and park maintenance. Property owner assessments are paid as a component of the property tax collection process. As was originally envisioned with the establishment of the CFD, future residential projects not included in the initial formation process are required to go through an annexation process in order to be included in CFD 2005-1.

The proposed project also includes a ±4.3-acre area which will be designated as an Outlot to be dedicated for ponding basin purposes. The City of Madera Storm Drainage Master Plan identifies the need for a master planned drainage basin at this location (P27 in the 2014 Storm Drainage Master Plan). The proposed basin will accommodate runoff from the proposed development on the project site as well as serving the drainage needs for a majority of the planned drainage area.

ENVIRONMENTAL REVIEW:

The proposed project has been reviewed for compliance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

Crawford and Bowen Planning, Inc. prepared an initial study, performed environmental analyses and evaluated the project in accordance with the CEQA Guidelines and criteria on behalf of the City as lead agency. The conclusions and findings resultant from these environmental studies, analyses and an evaluation of the proposed project determined that although the project could have a significant effect on the environment, there will not be a significant effect because mitigation measures have been identified to reduce the significant direct, indirect or cumulative effects on the environment to a level less-than-significant, and that a Mitigated Negative Declaration is appropriate for this project.

The Notice of Intent to Adopt a Mitigated Negative Declaration was filed with the County Clerk on March 15, 2025, published in the Madera Tribune on March 15, 2025, and posted with the Governor's Office of Planning and Research (OPR) on March 18, 2025, initiating a public review

period effectively commencing on March 15, 2025, and ending April 6, 2025. Amendments to the IS/MND through the comment period do not constitute “substantial revisions” requiring recirculation prior to adoption pursuant to the provisions of CEQA Guidelines Section 15073.5. No new, avoidable significant effects have been identified and no mitigation measures or project revisions must be added in order to reduce an effect to insignificance. Additionally, no new information has resulted in a determination that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

The Planning Commission with this action will include consideration of the Mitigated Negative Declaration (SCH No. 2025030734) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project, including public comments received during the public review period or at the hearing prior to the Commission taking action to adopt or reject the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project.

COMMISSION ACTION:

The Commission will be acting on TSM 2024-05 and PPL 2024-04. Staff recommends that the Commission:

1. Adopt a Resolution of the Planning Commission of the City of Madera adopting the Mitigated Negative Declaration (SCH No. 2025030734) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project in accordance with the California Environmental Quality Act (CEQA) Guidelines; and approving TSM 2024-05 and PPL 2024-04, subject to the findings and conditions of approval.

ALTERNATIVES:

As an alternative, the Commission may elect to:

1. Move to continue the public hearing to a future Planning Commission meeting at a date and time certain (Planning Commission to specify date) or refer the matter back to staff to be rescheduled at a later meeting date-to-be-determined; with direction to staff.
2. Move to deny the proposed application based on specific findings: (Planning Commission should articulate reasons for denial).

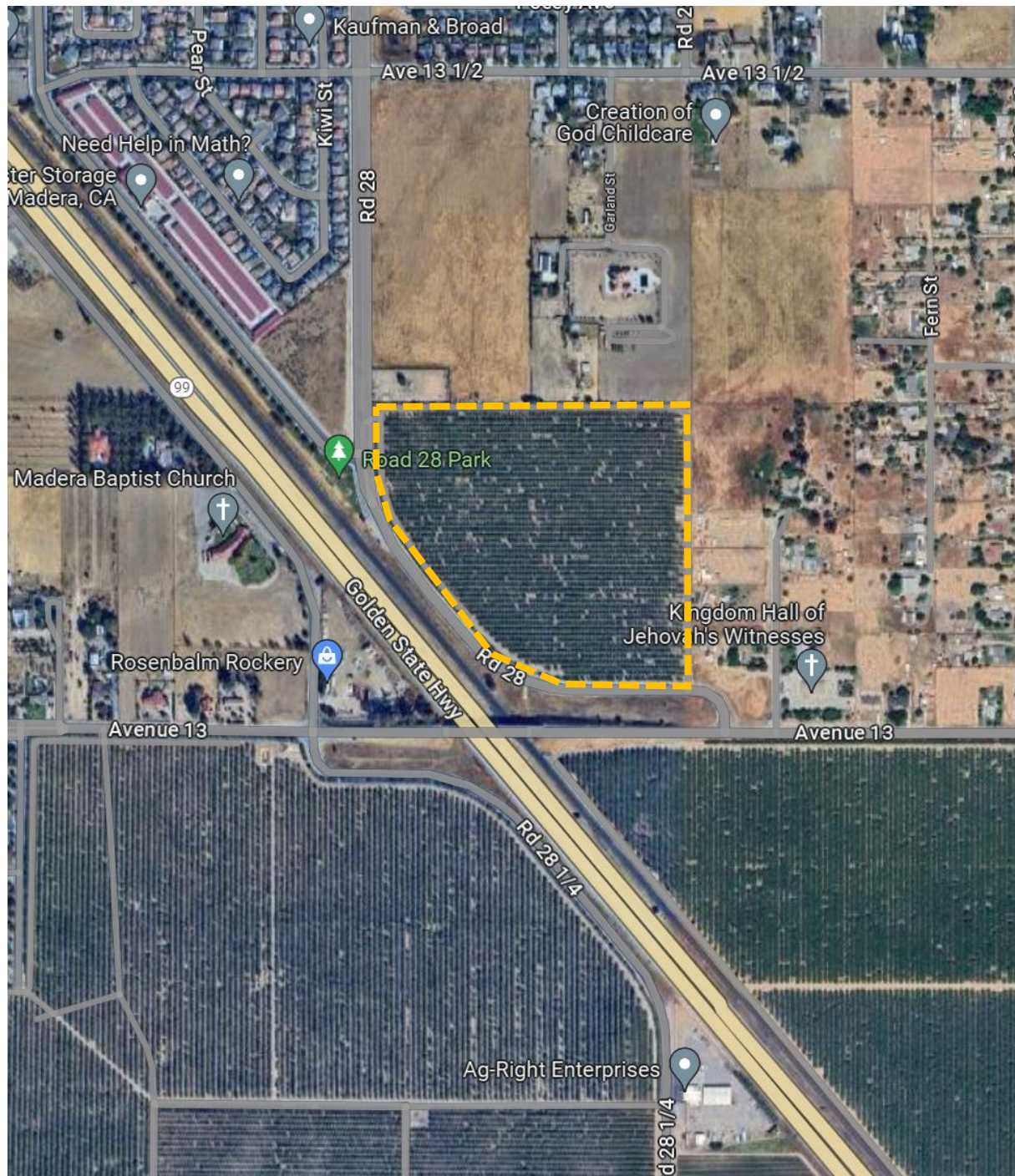
ATTACHMENTS:

1. Vicinity Map
2. City General Plan Land Use map
3. City Zoning Map
4. Model Exhibits
5. Initial Study/Mitigated Negative Declaration
6. Planning Commission Resolution
 - Exhibit “A” – Conditions of Approval
 - Exhibit “B” – TSM 2024-05 (Tozer III Subdivision Map)

Exhibit “C” – Mitigation Monitoring and Reporting Program

ATTACHMENT 1

Vicinity Map



ATTACHMENT 2
City General Plan Land Use Map

General Plan

Land Use Map

S. Kinross St

Hacienda St

Lada Ave

Posey Ave

Ave 13 1/2

Papaya St

Kiwi St

Rd 28

City Boundary

Project Site

City Boundary

Ward St

Ave 13 1/4

Cholla Ave

Rd 28 1/2

Rd 28 3/4

Avenue 13

Avenue 13

Rd 28 1/4

Rd 1

Legend

- C
- HD
- I
- MD
- NMU
- O
- OS(P&R)
- P&SP
- RC(BASIN)



2000 ft

Google Earth

Image © 2025 Airbus

ATTACHMENT 3

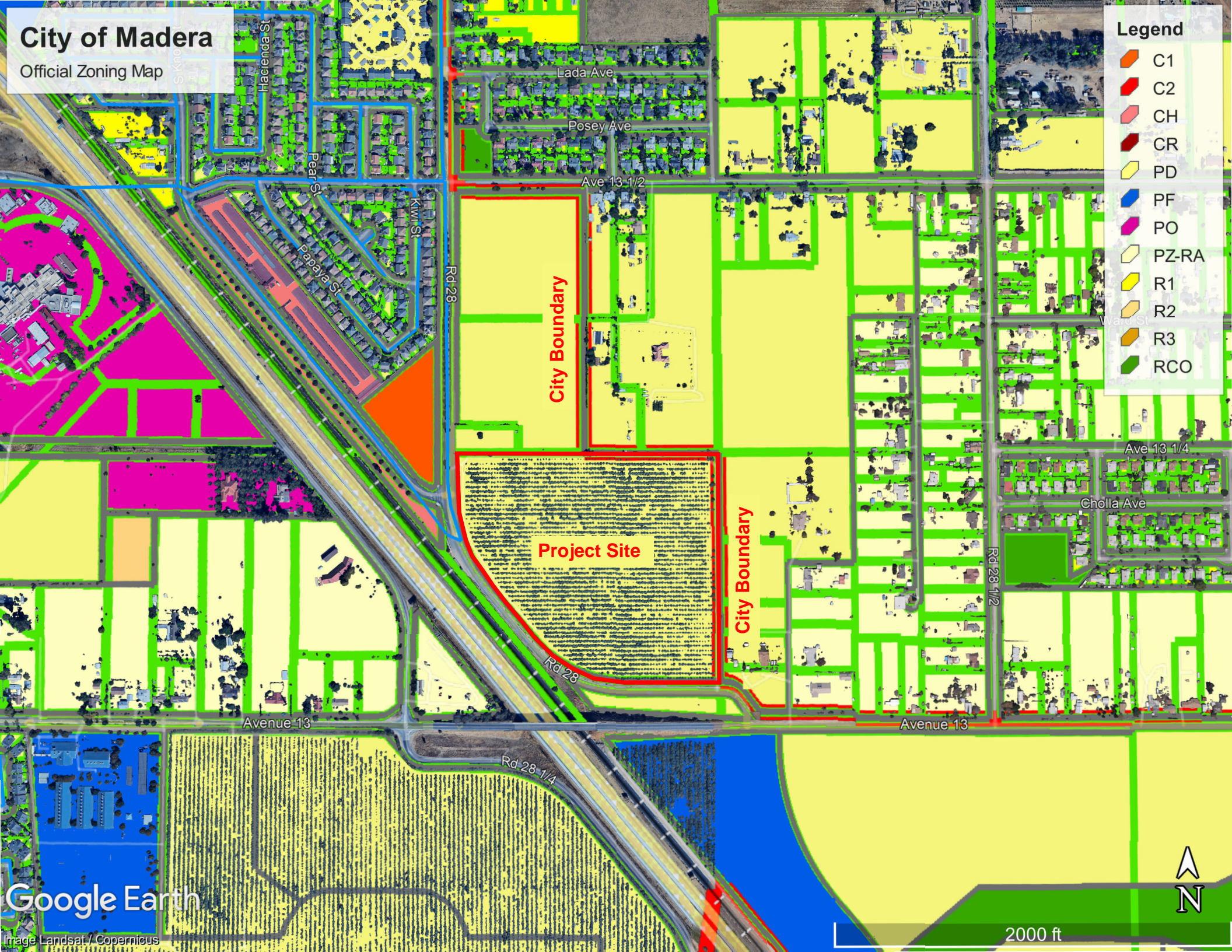
City Zoning Map

City of Madera

Official Zoning Map

Legend

- C1
- C2
- CH
- CR
- PD
- PF
- PO
- PZ-RA
- R1
- R2
- R3
- RCO



City Boundary

City Boundary

Project Site

Google Earth

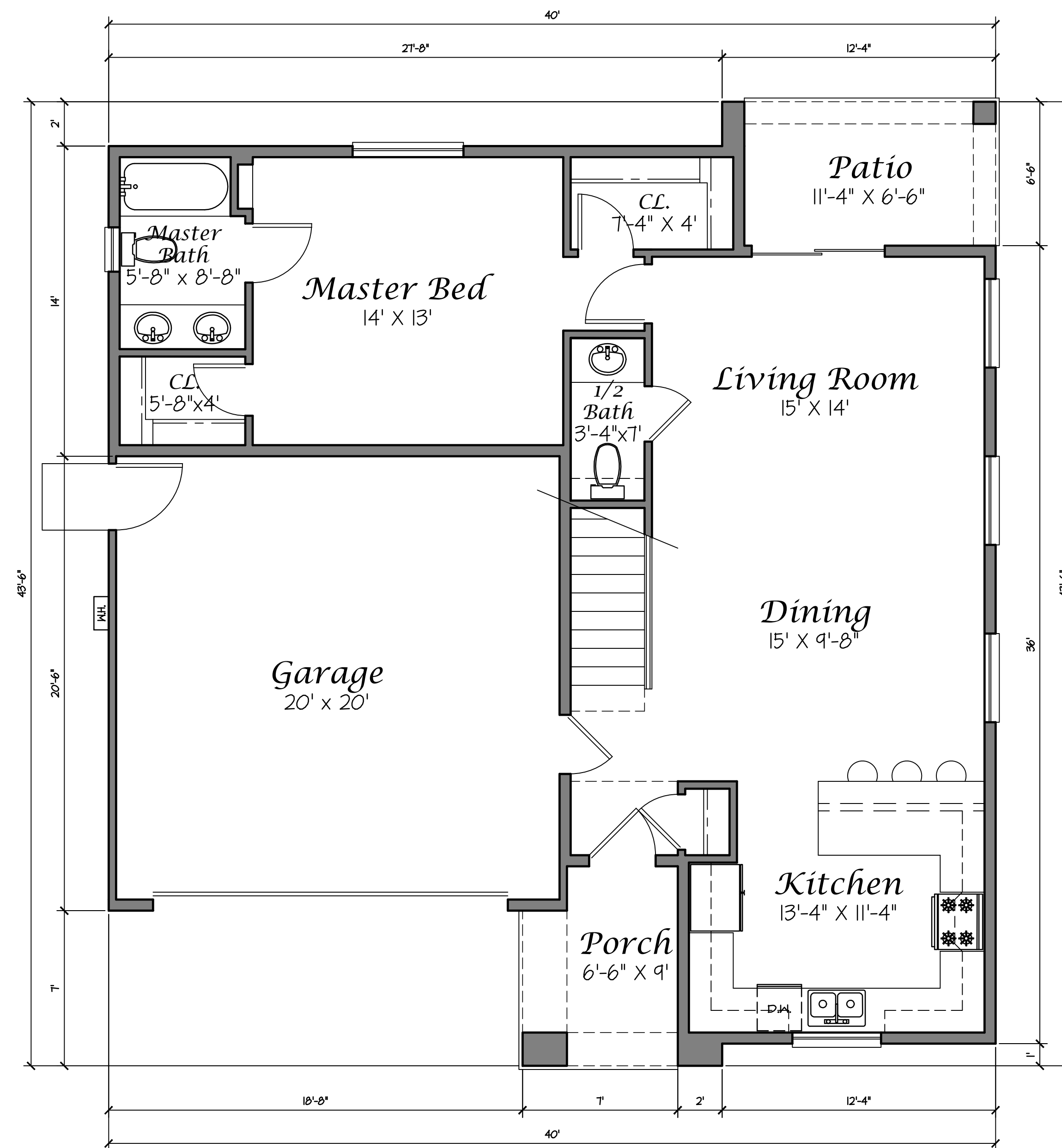
Image Landsat / Copernicus

2000 ft

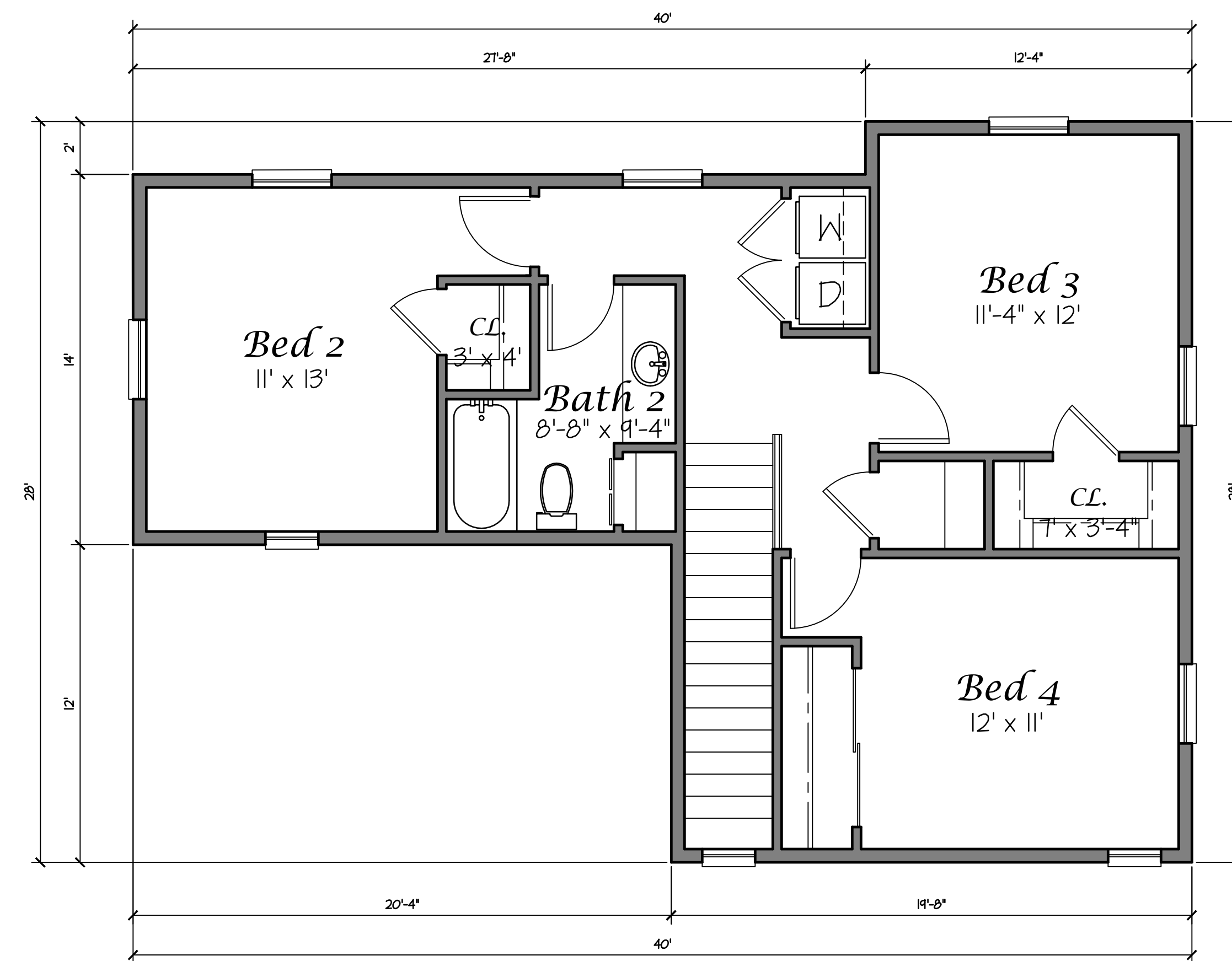


ATTACHMENT 4

Model Exhibits



1st Floor Plan

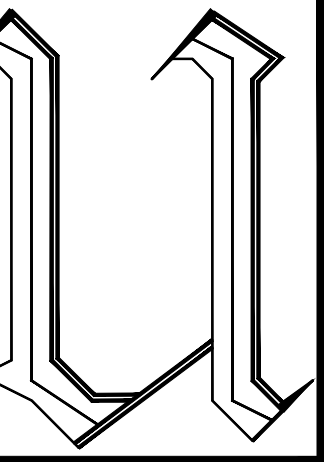


2nd Floor Plan

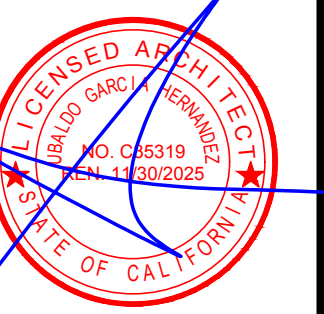
Area:

1ST FLOOR:	988 sq. ft.
2ND FLOOR:	162 sq. ft.
GARAGE:	410 sq. ft.
PATIO:	76 sq. ft.
PORCH:	61 sq. ft.
TOTAL LIVING:	1,750 sq. ft.
TOTAL:	2,305 sq. ft.

The 1750 Plan 1st & 2nd Floor Plan



Villa Di Ubaldo
Architecture, Engineering & Development
Ubaldo Garcia Hernandez
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Fresno, CA 93727
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Email: jcrowncrownliving.com

DATE:
3 / 1 / 2024
SCALE:
1/4" = 1'-0"
JOB NO.
1750 PLAN MADERA
SHEET

A1



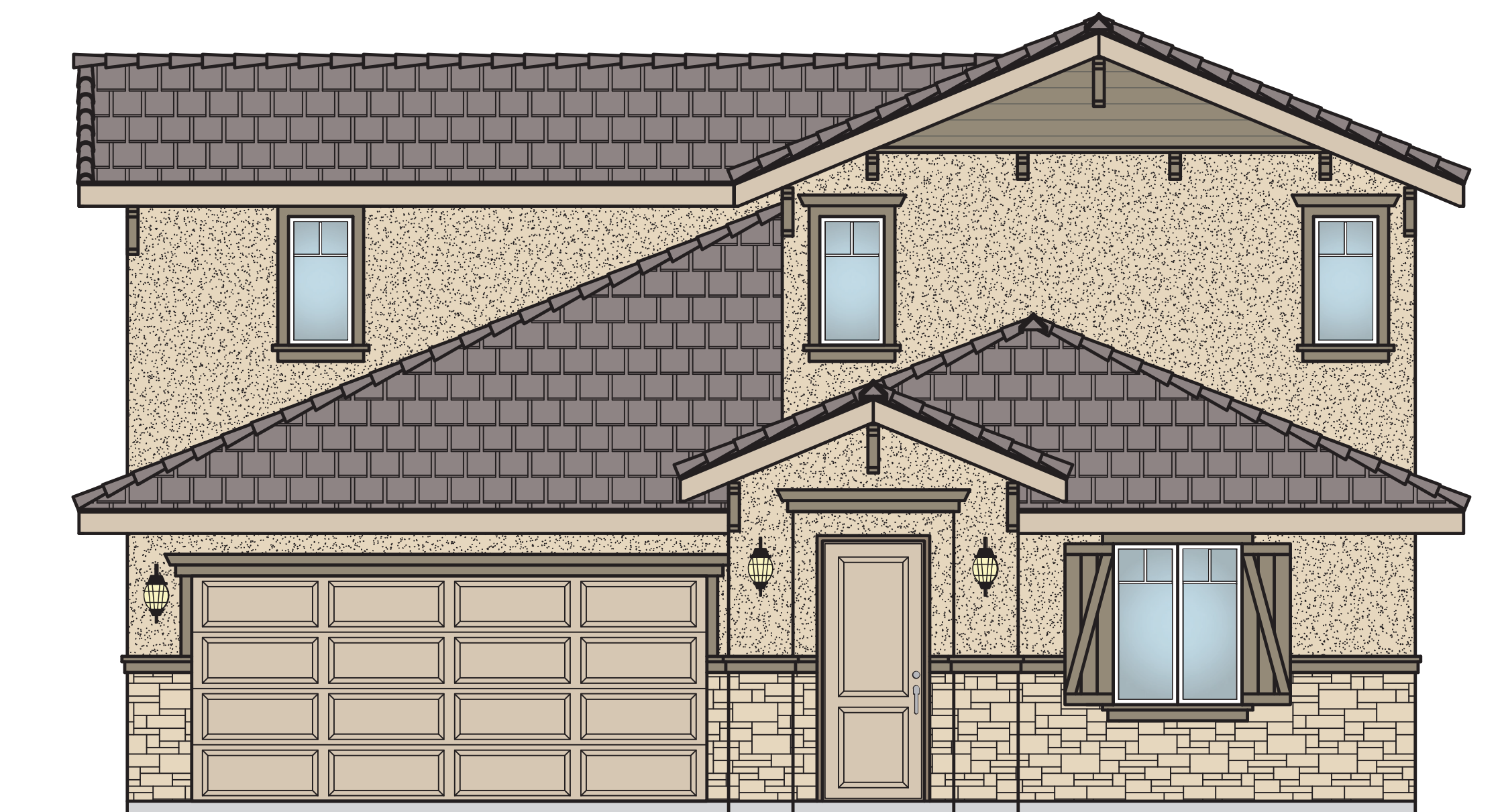
Front Elevation 'A'

CROWN COLOR SCHEME 05



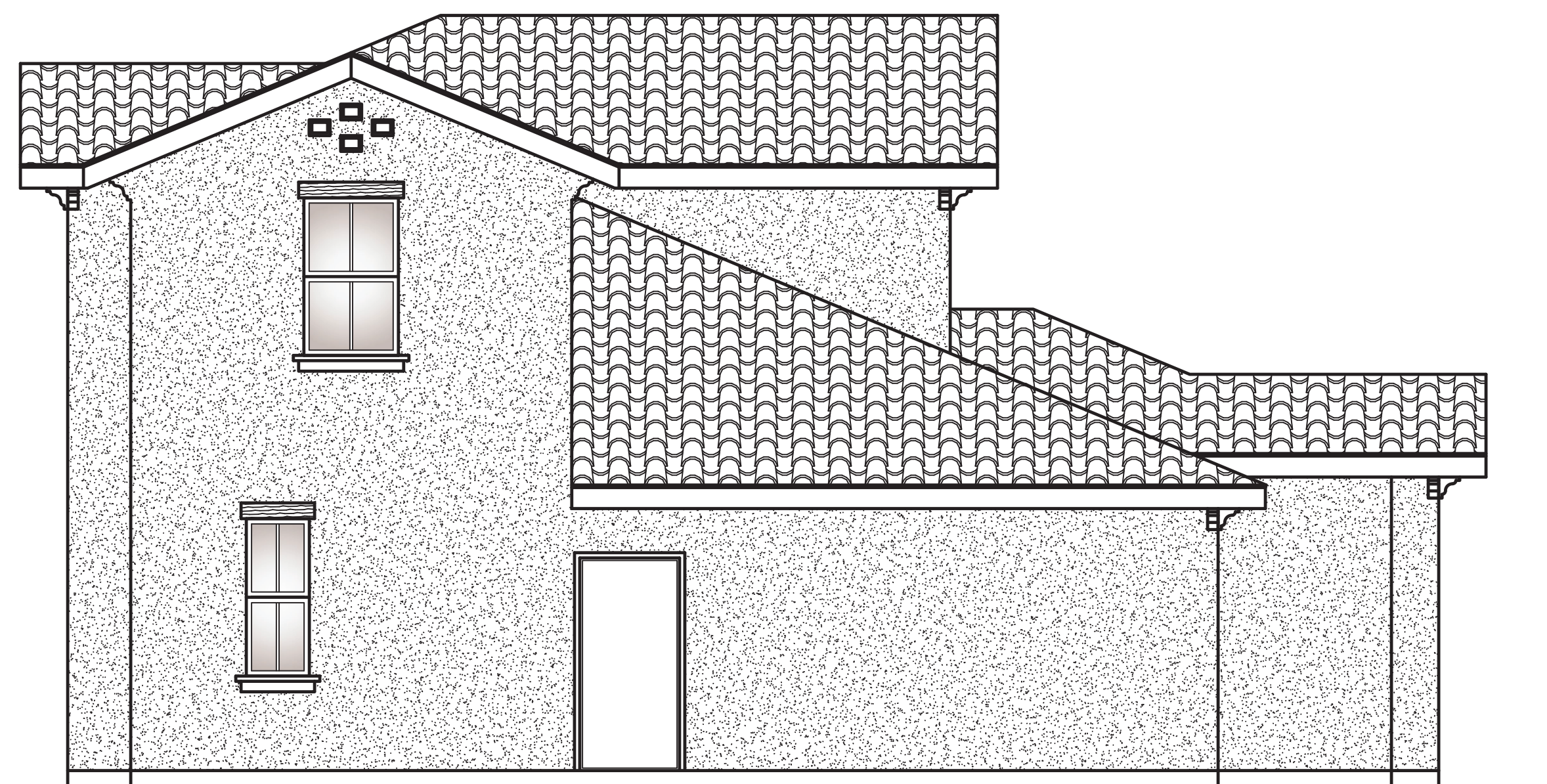
Front Elevation 'B'

CROWN COLOR SCHEME 01



Front Elevation 'C'

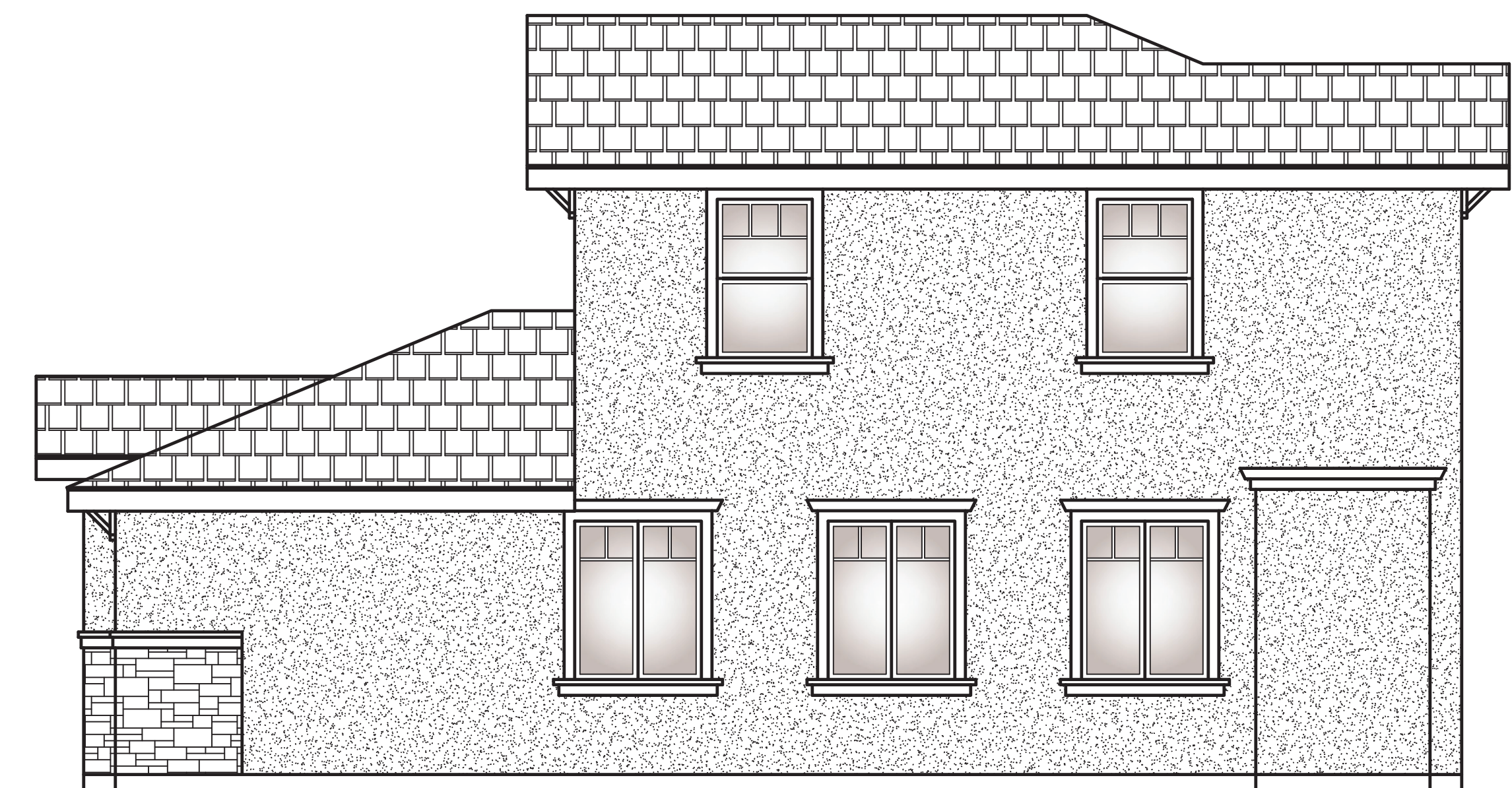
CROWN COLOR SCHEME 02



Left Side Elevation 'A'



Right Side Elevation 'B'



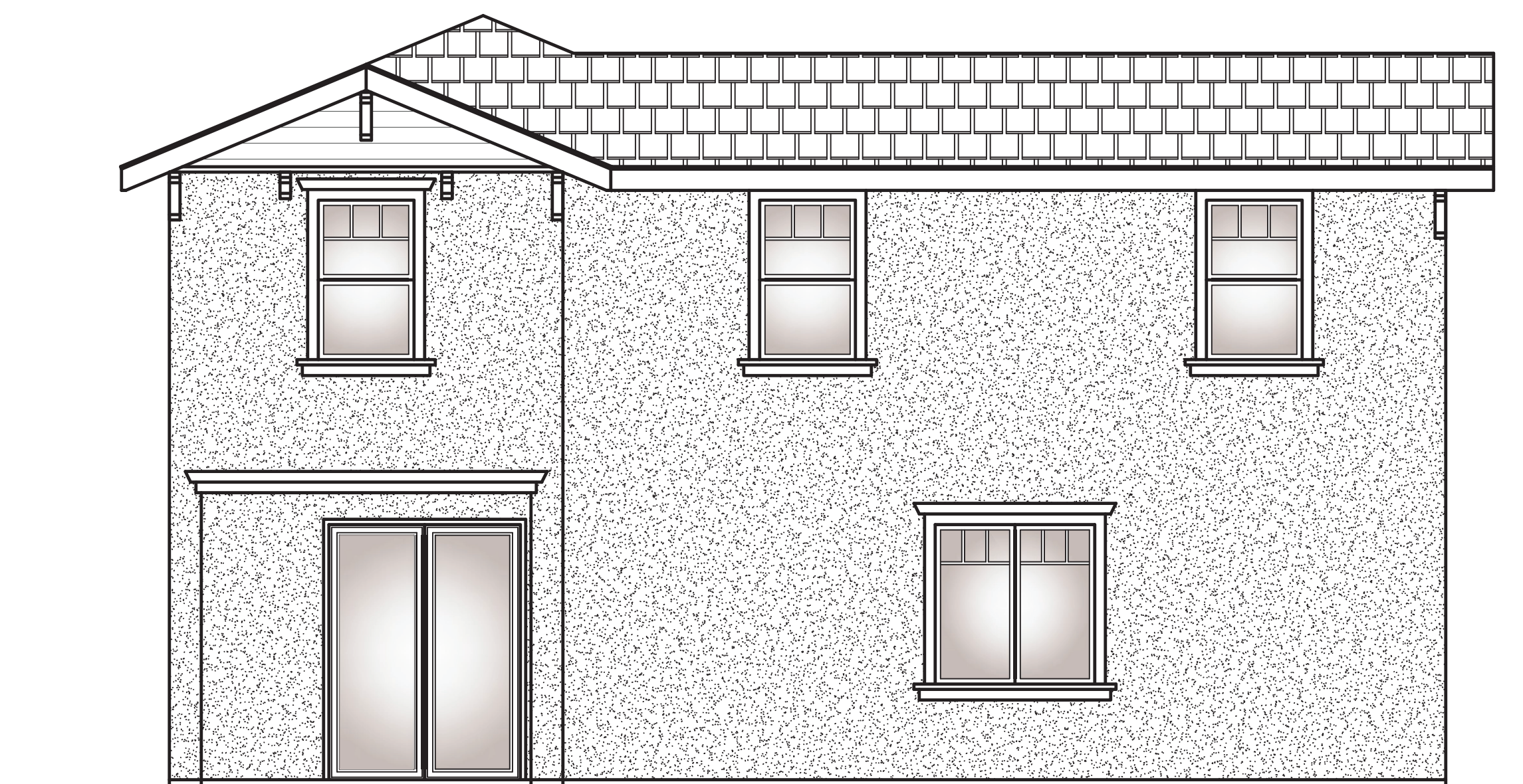
Right Side Elevation 'C'



Rear Elevation 'A'

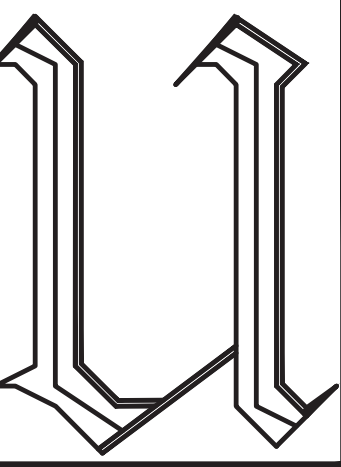


Rear Elevation 'B'



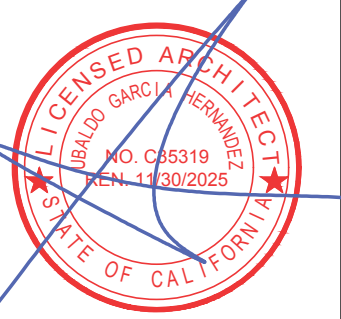
Rear Elevation 'C'

The 1750 Plan Exterior Elevations



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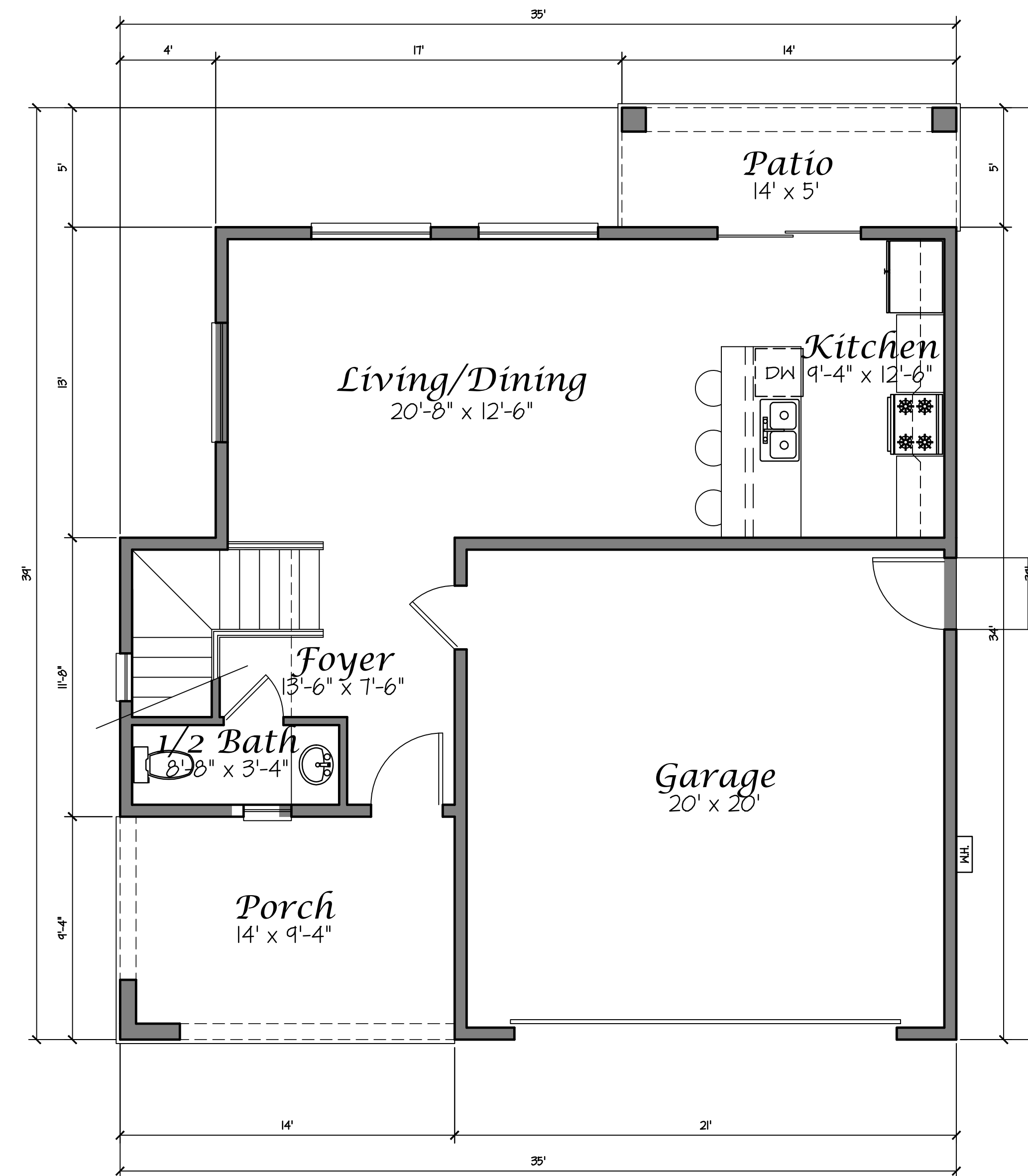
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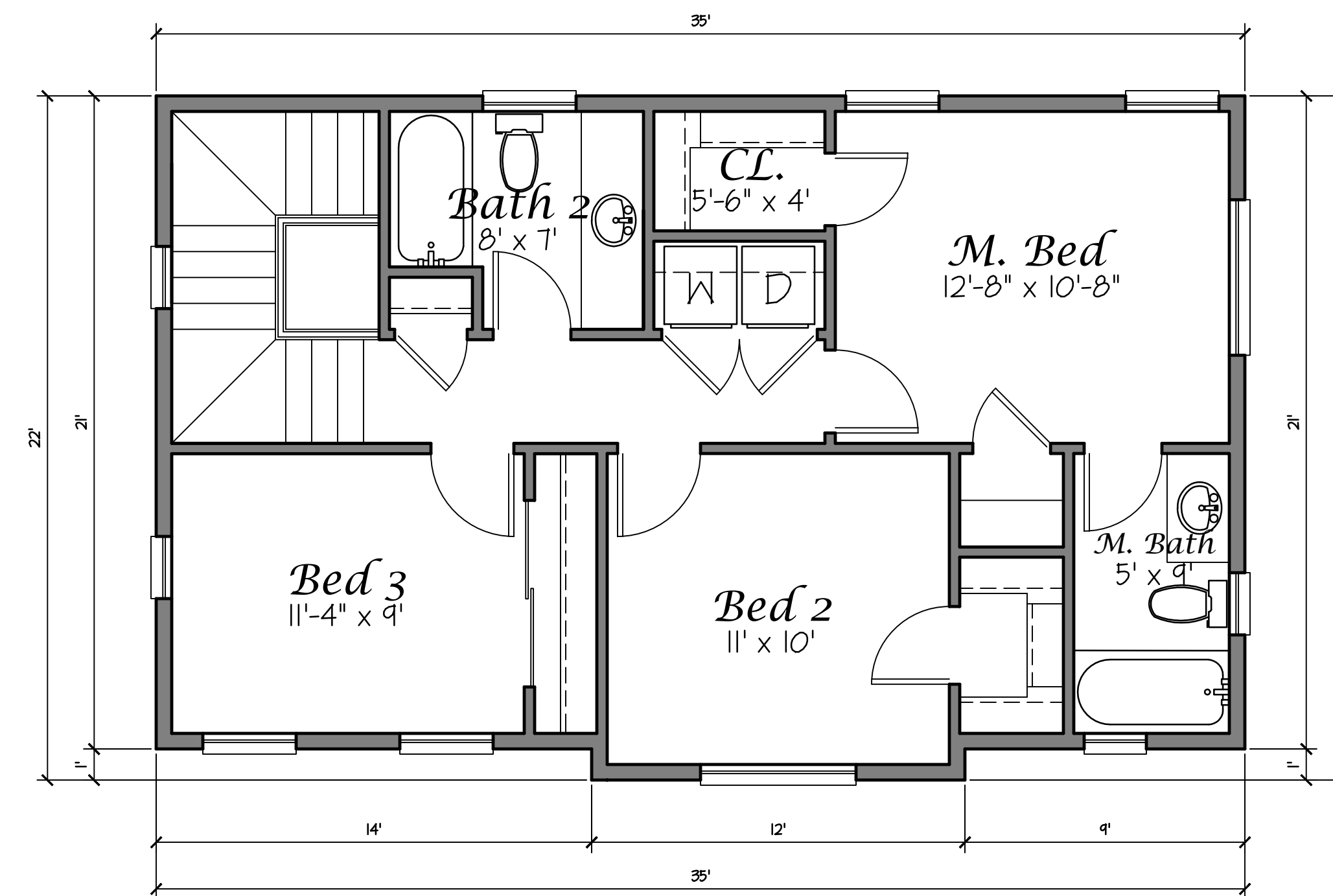
A2



1st Floor Plan

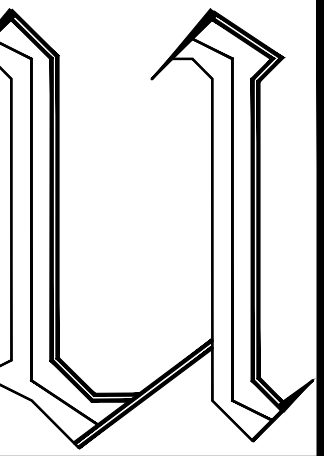
Area:

1ST FLOOR:	582 sq. ft.
2ND FLOOR:	661 sq. ft.
GARAGE:	424 sq. ft.
OPTIONAL PATIO:	70 sq. ft.
PORCH:	130 sq. ft.
TOTAL LIVING:	1,243 sq. ft.
TOTAL:	1,677 sq. ft.



2nd Floor Plan

The 1250 Plan 1st & 2nd Floor Plan



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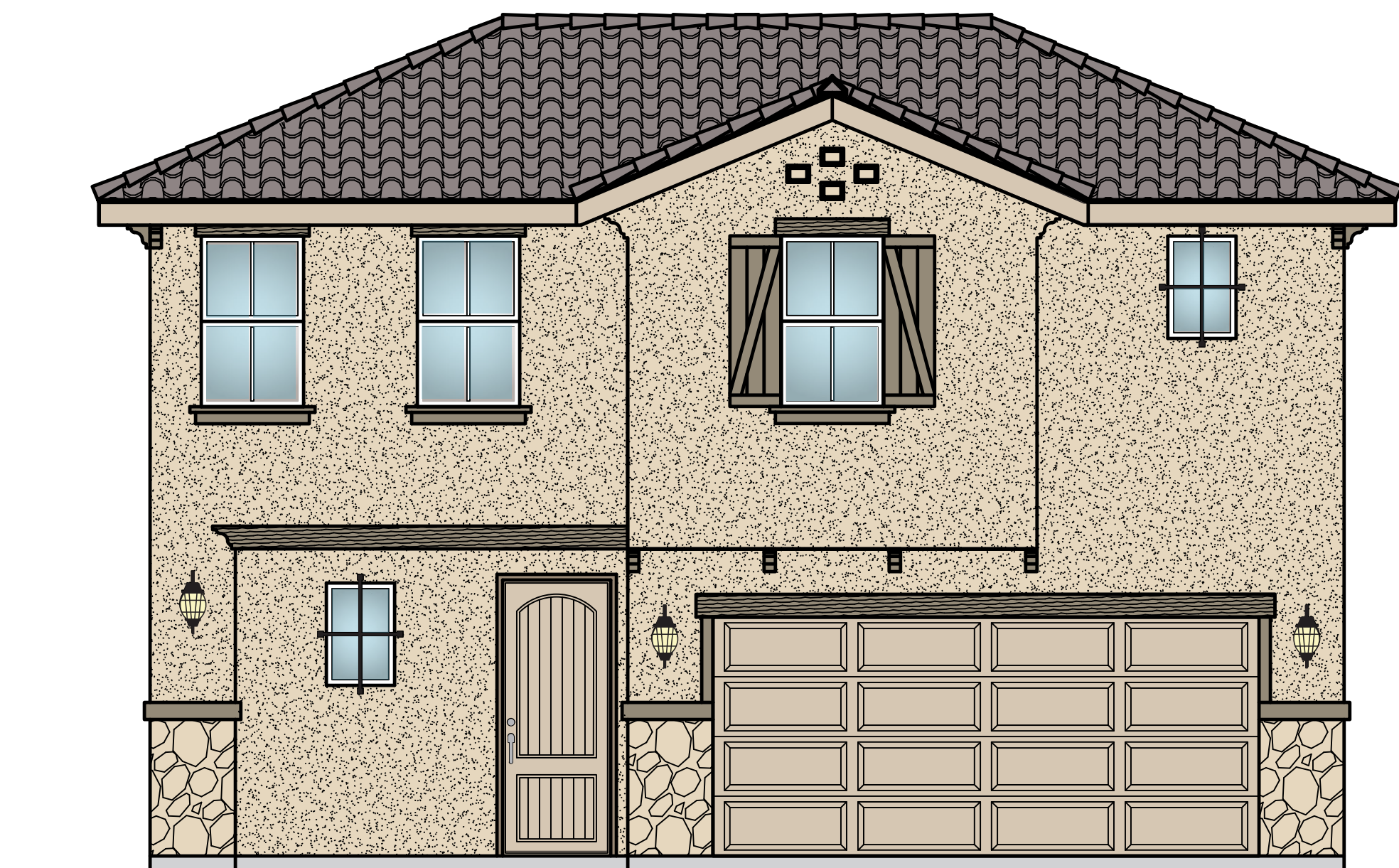
DATE:
 3 / 1 / 2024
 SCALE:
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 JOB NO.
 1250 PLAN MADERA
 SHEET

A1



Front Elevation 'A'

CROWN COLOR SCHEME 01



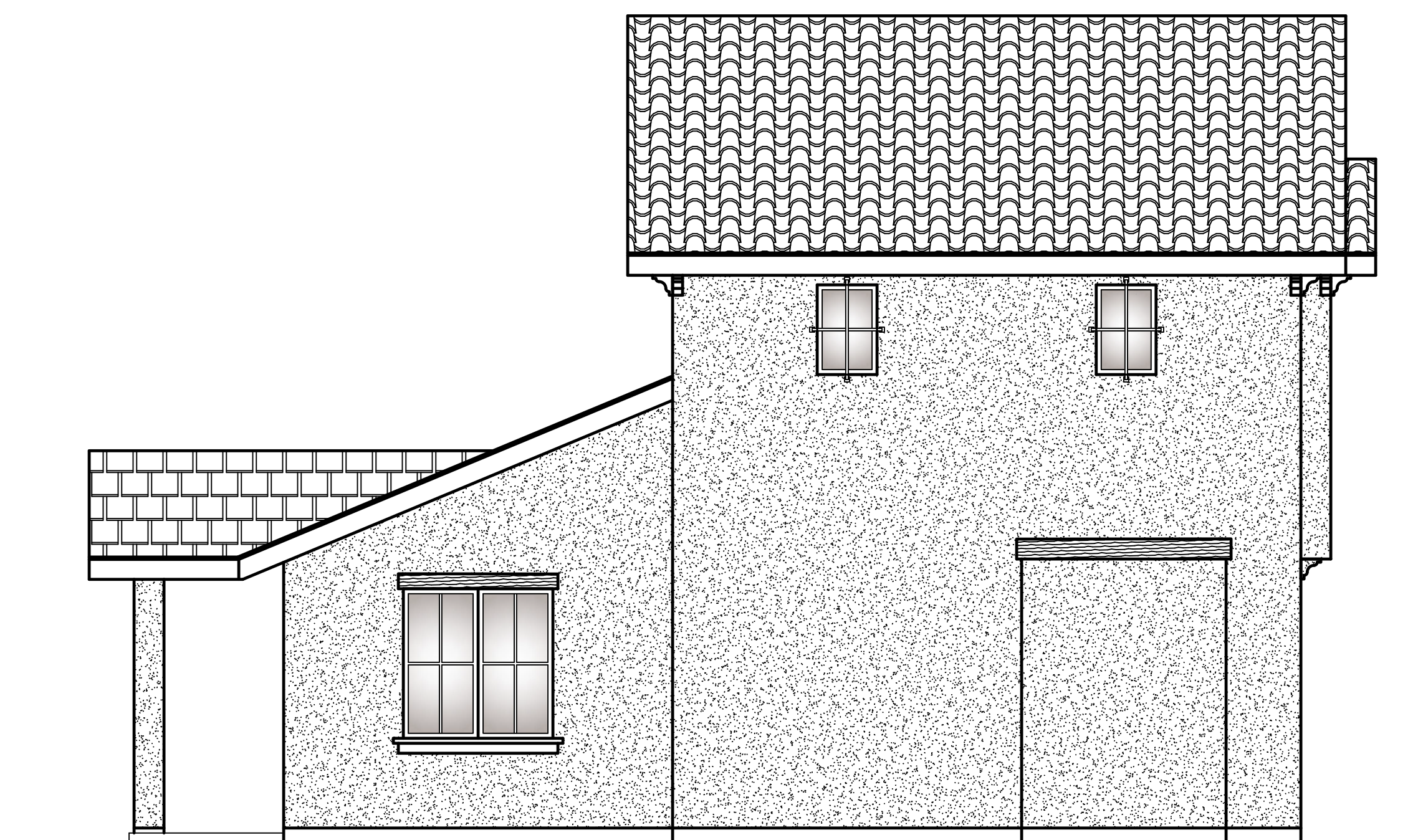
Front Elevation 'B'

CROWN COLOR SCHEME 02



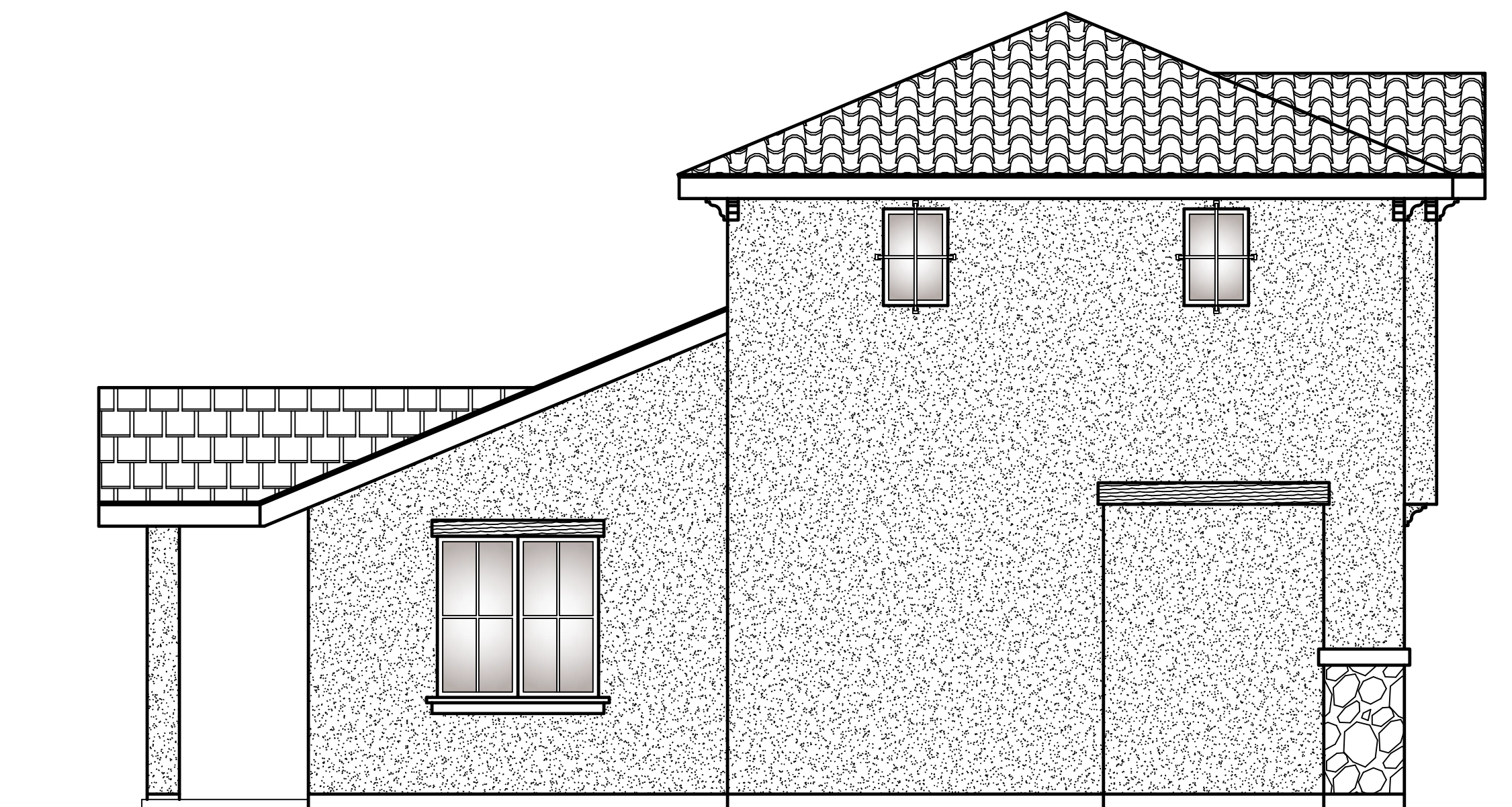
Left Side Elevation 'C'

CROWN COLOR SCHEME 03



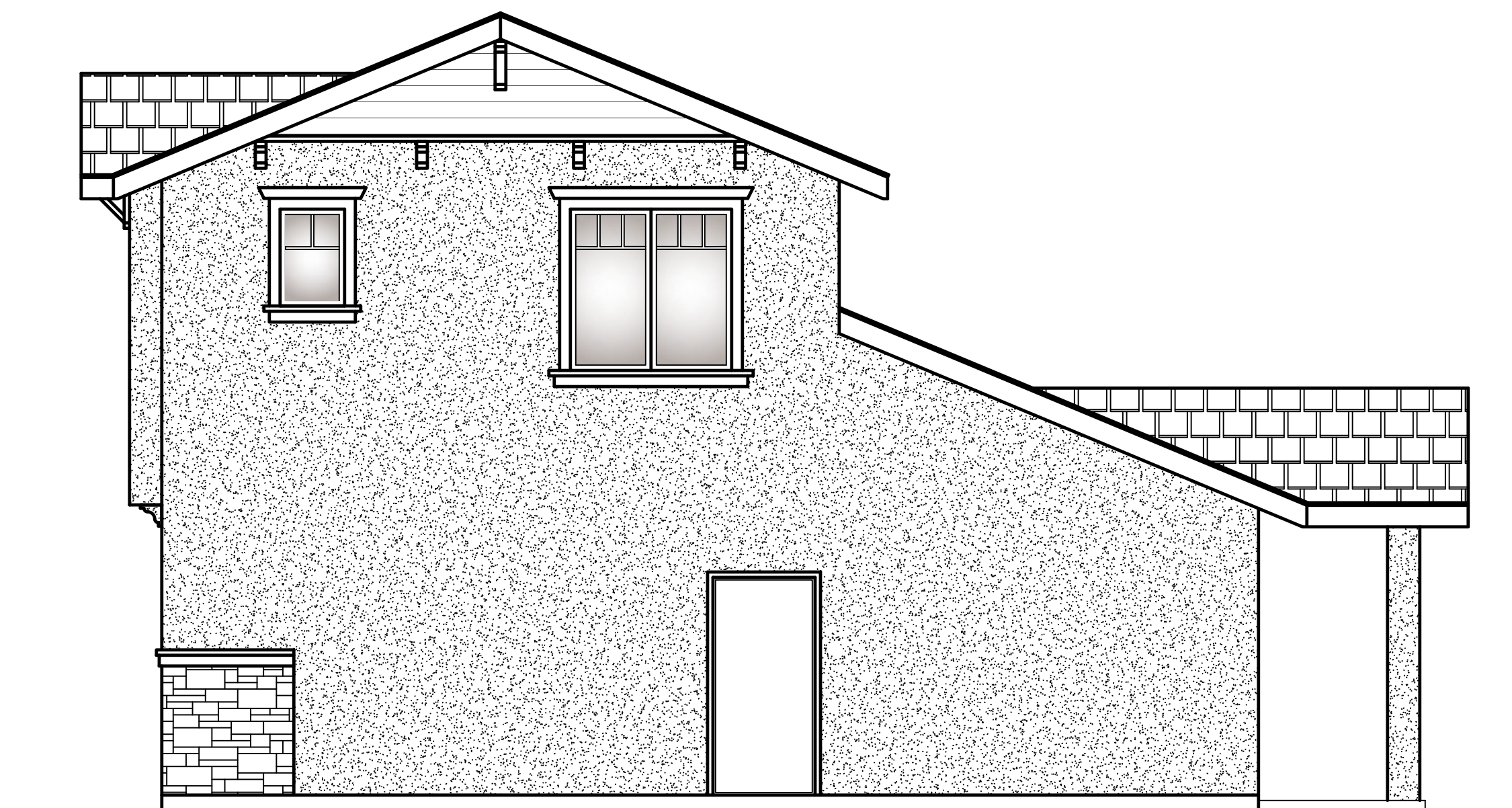
Left Side Elevation 'A'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



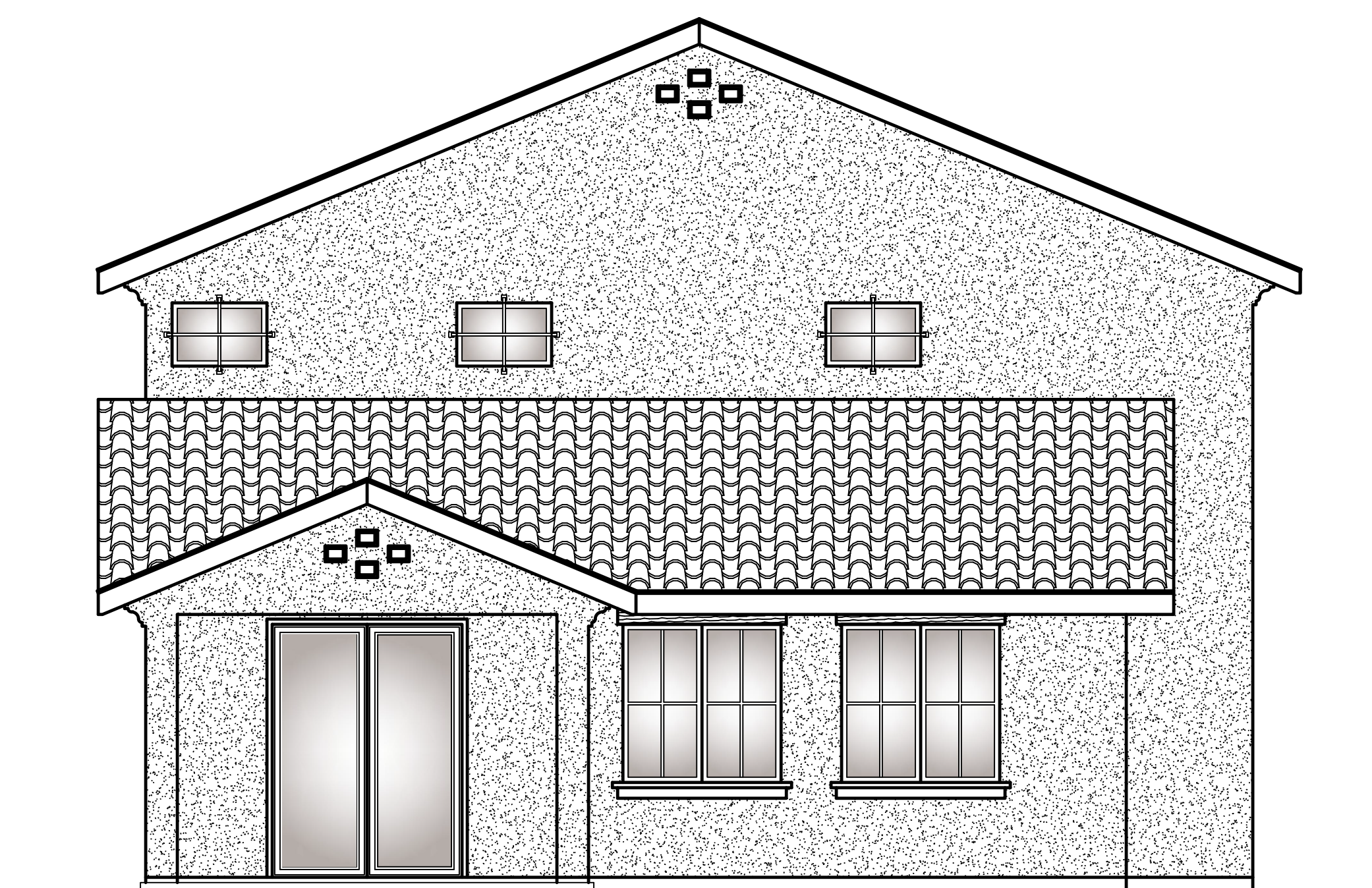
Left Side Elevation 'B'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



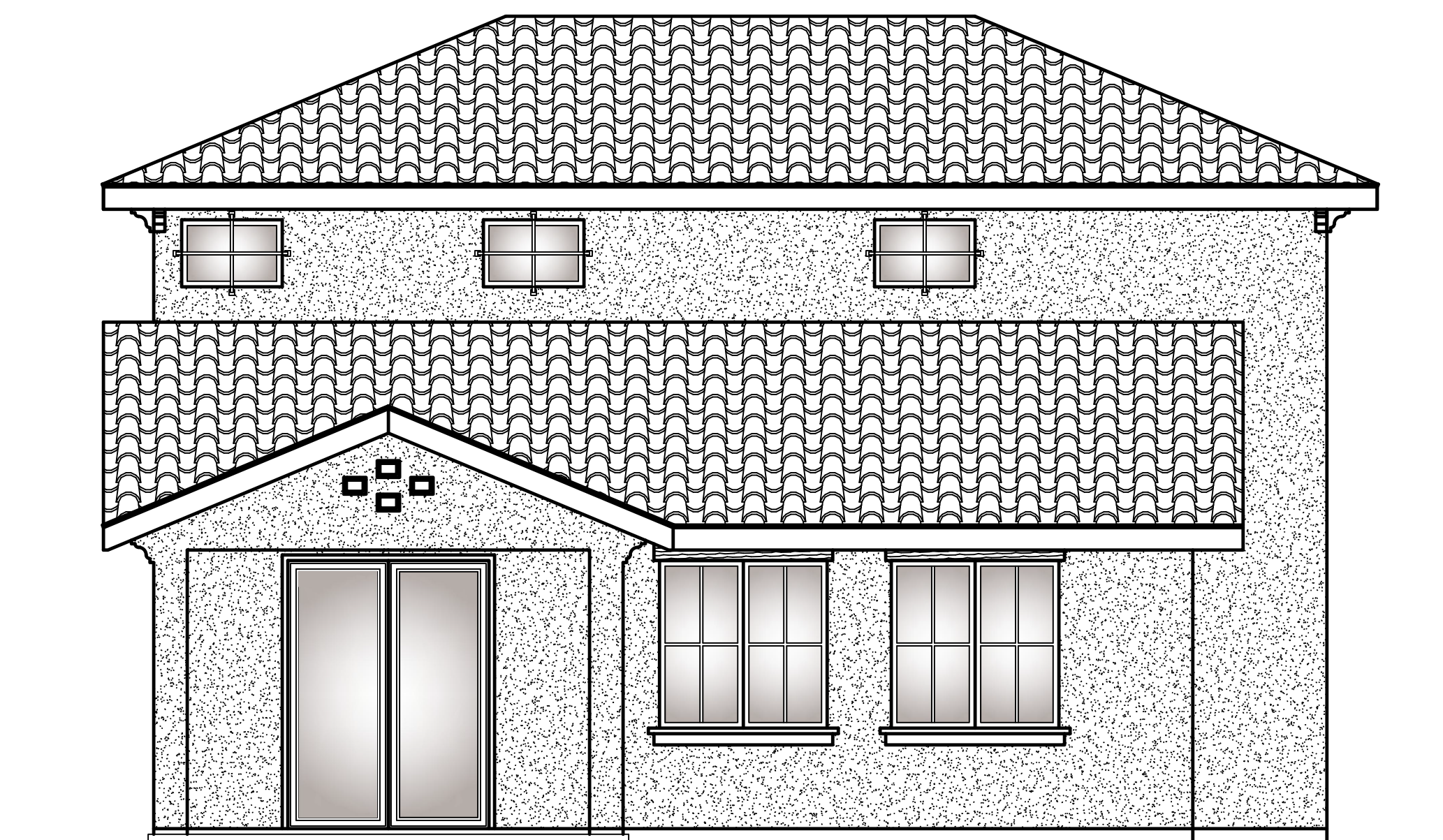
Right Side Elevation 'C'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



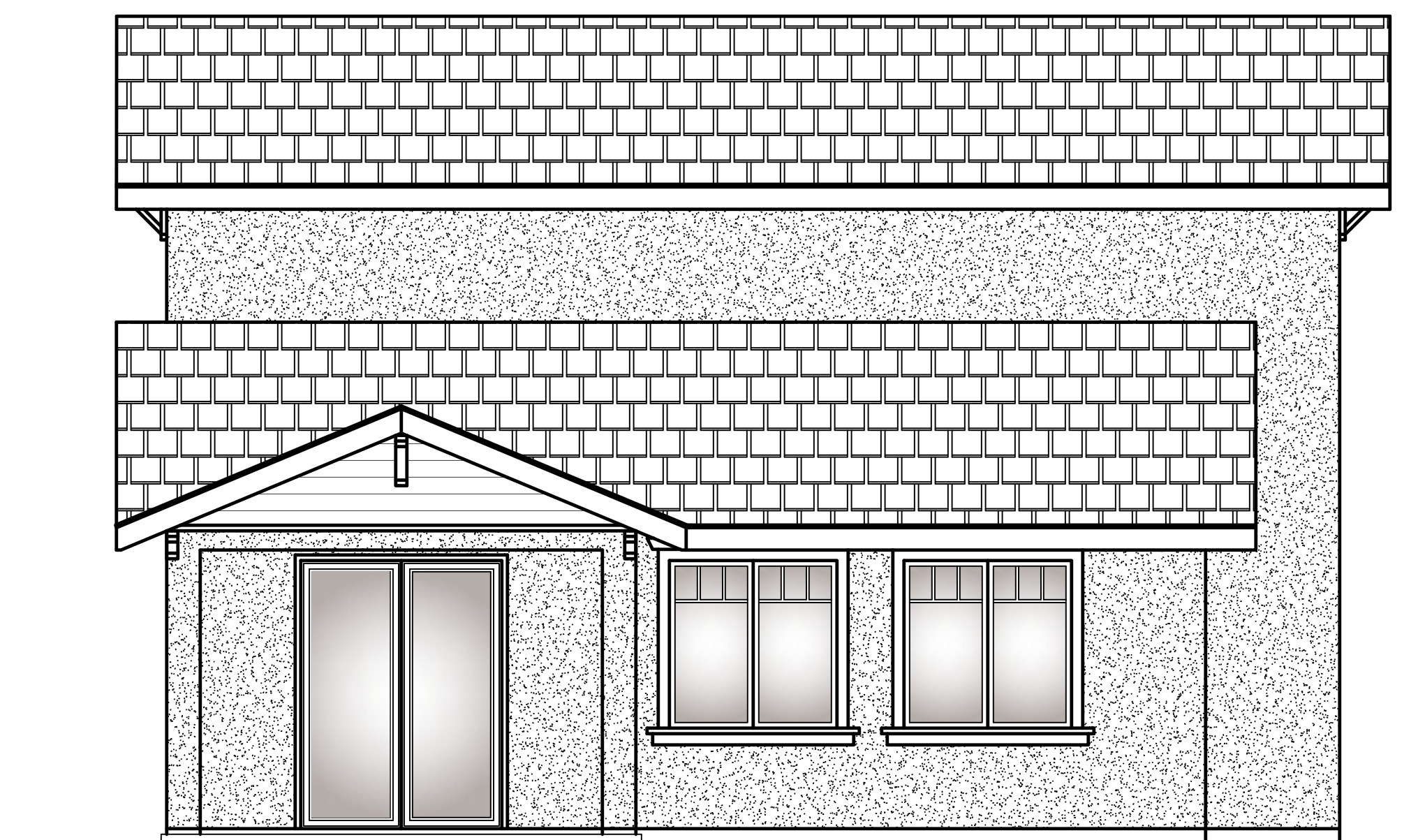
Rear Elevation 'A'

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Rear Elevation 'B'

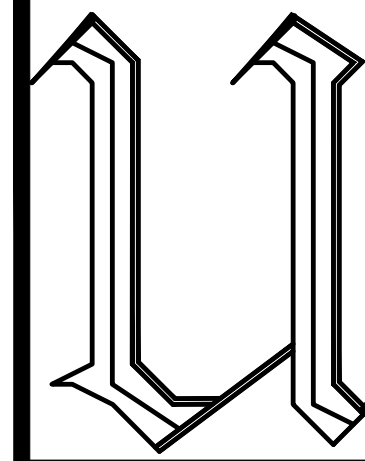
REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



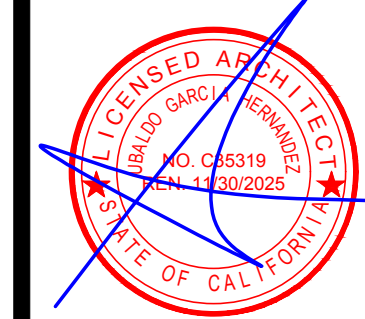
Rear Elevation 'C'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET

The 1250 Plan Exterior Elevations



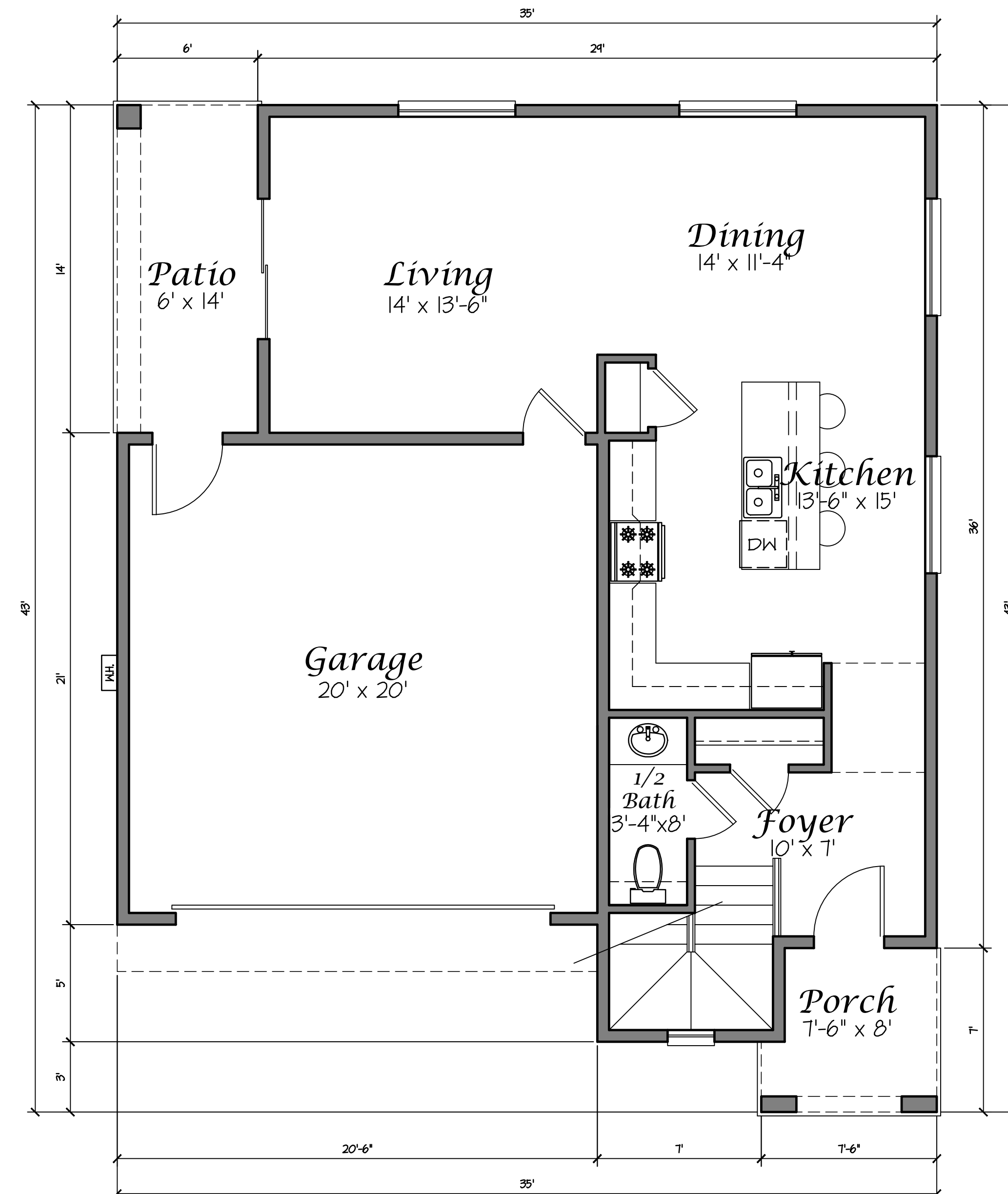
Villa Di Ubaldo
Architecture, Engineering & Development
Ubaldo Garcia Hernandez
Architect Lic. No. C-35319
PO BOX 925
MADERA, CA 93639
Tel. (559) 871-5534
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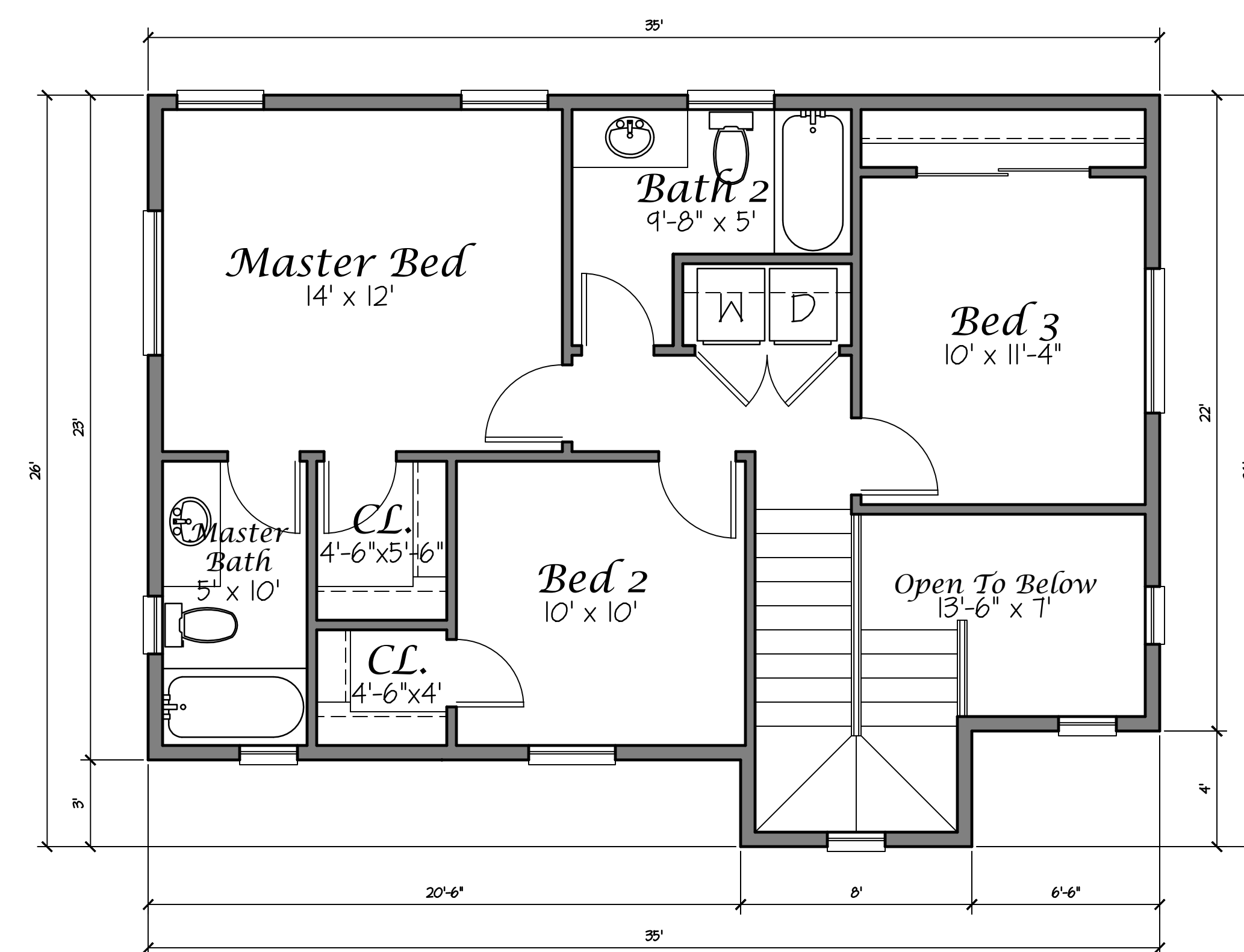
OWNER / BUILDER:
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Email: jcrowncrownliving.com

DATE:
3/1/2024
SCALE:
1/4" = 1'-0"
SHEET:
1250 PLAN MADERA

A2



1st Floor Plan

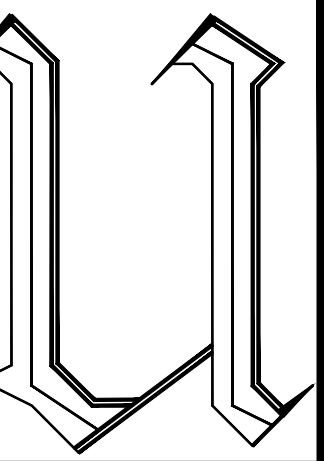


2nd Floor Plan

Area:

1ST FLOOR:	764 sq. ft.
2ND FLOOR:	686 sq. ft.
GARAGE:	423 sq. ft.
PATIO:	84 sq. ft.
PORCH:	48 sq. ft.
TOTAL LIVING:	1,450 sq. ft.
TOTAL:	2,005 sq. ft.

The 1450 Plan 1st & 2nd Floor Plan



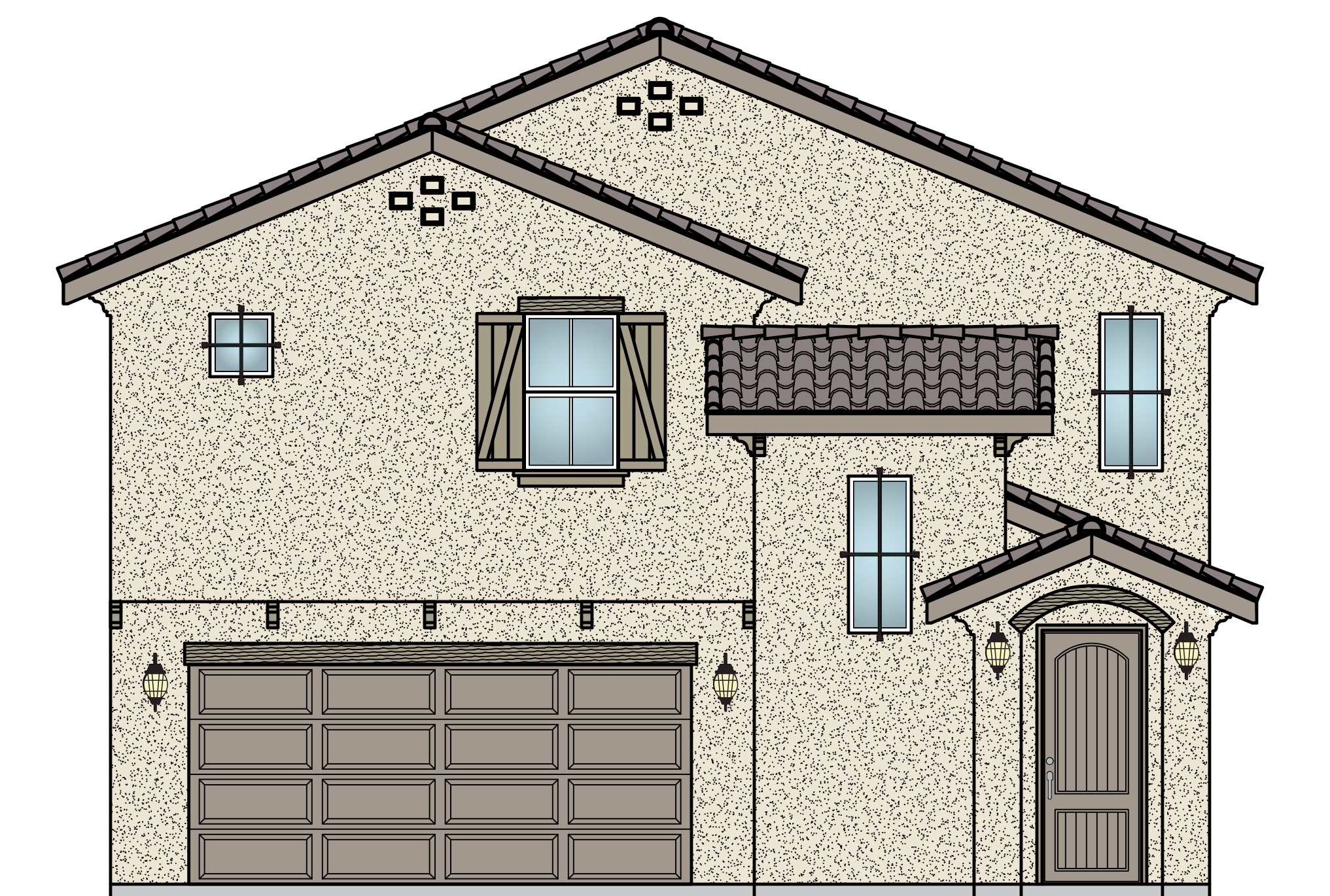
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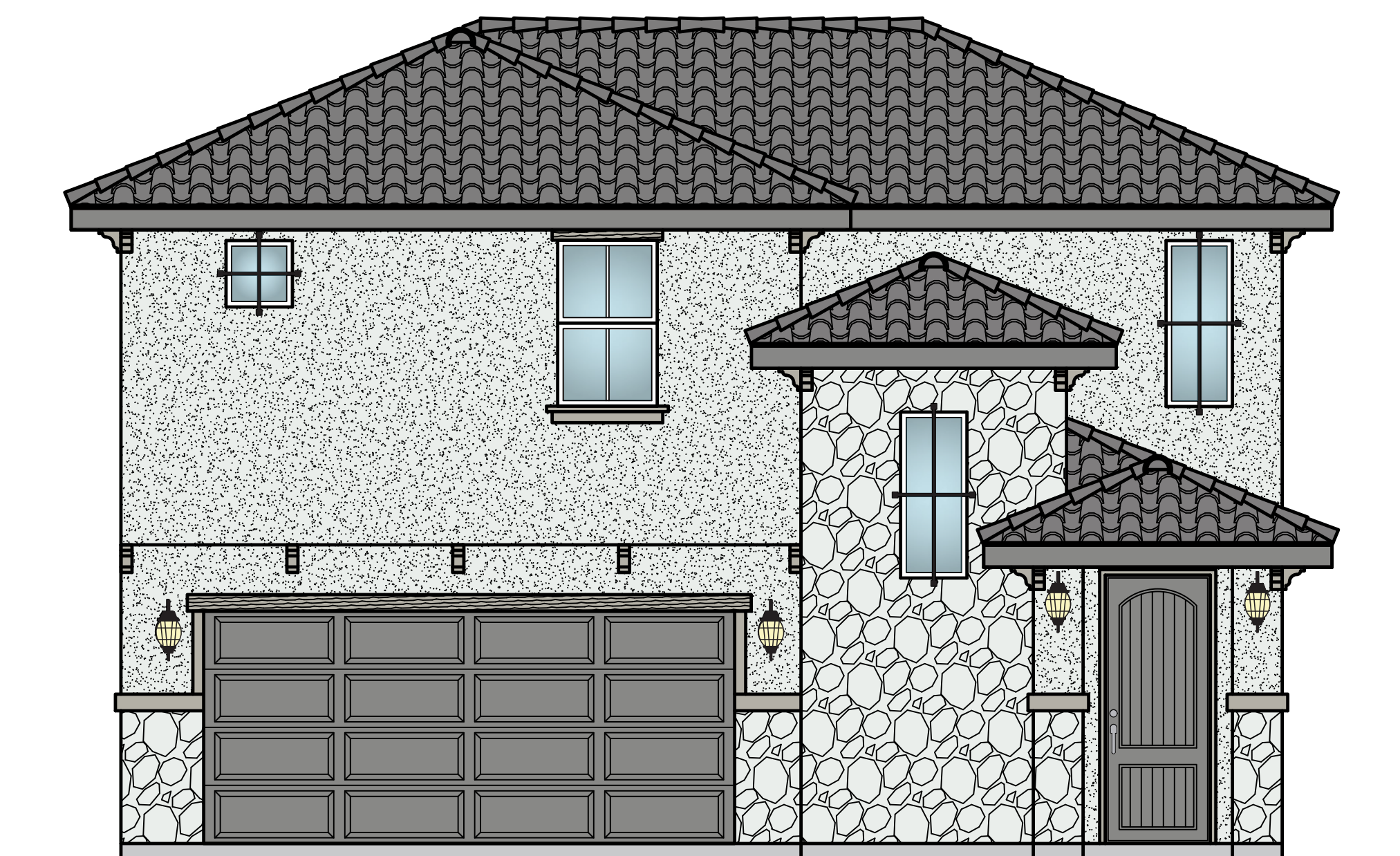
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JOB NO.
1450 PLAN MADERA
SHEET

A1



Front Elevation 'A'

CROWN COLOR SCHEME 04

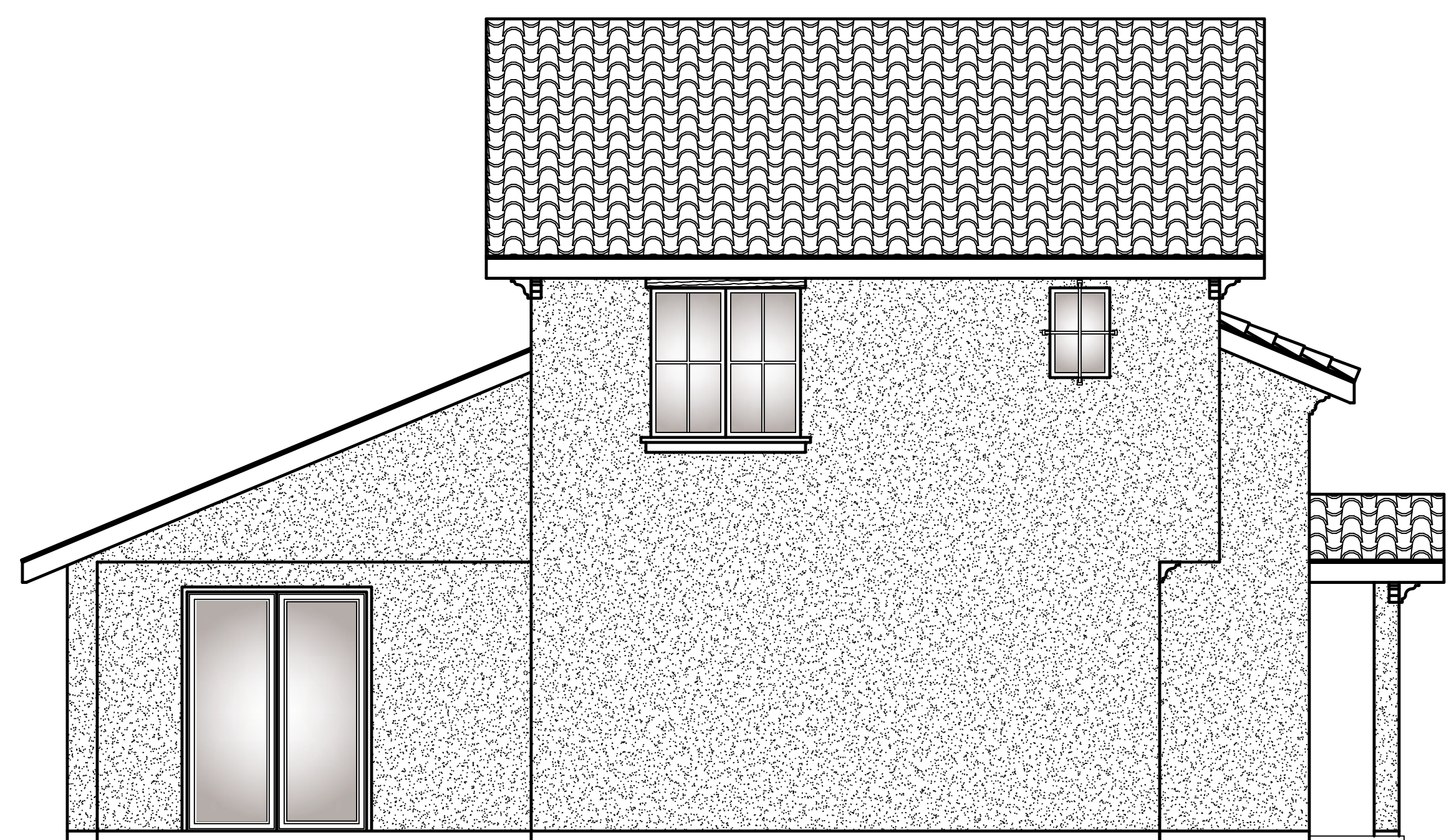


Front Elevation 'B'

CROWN COLOR SCHEME 05

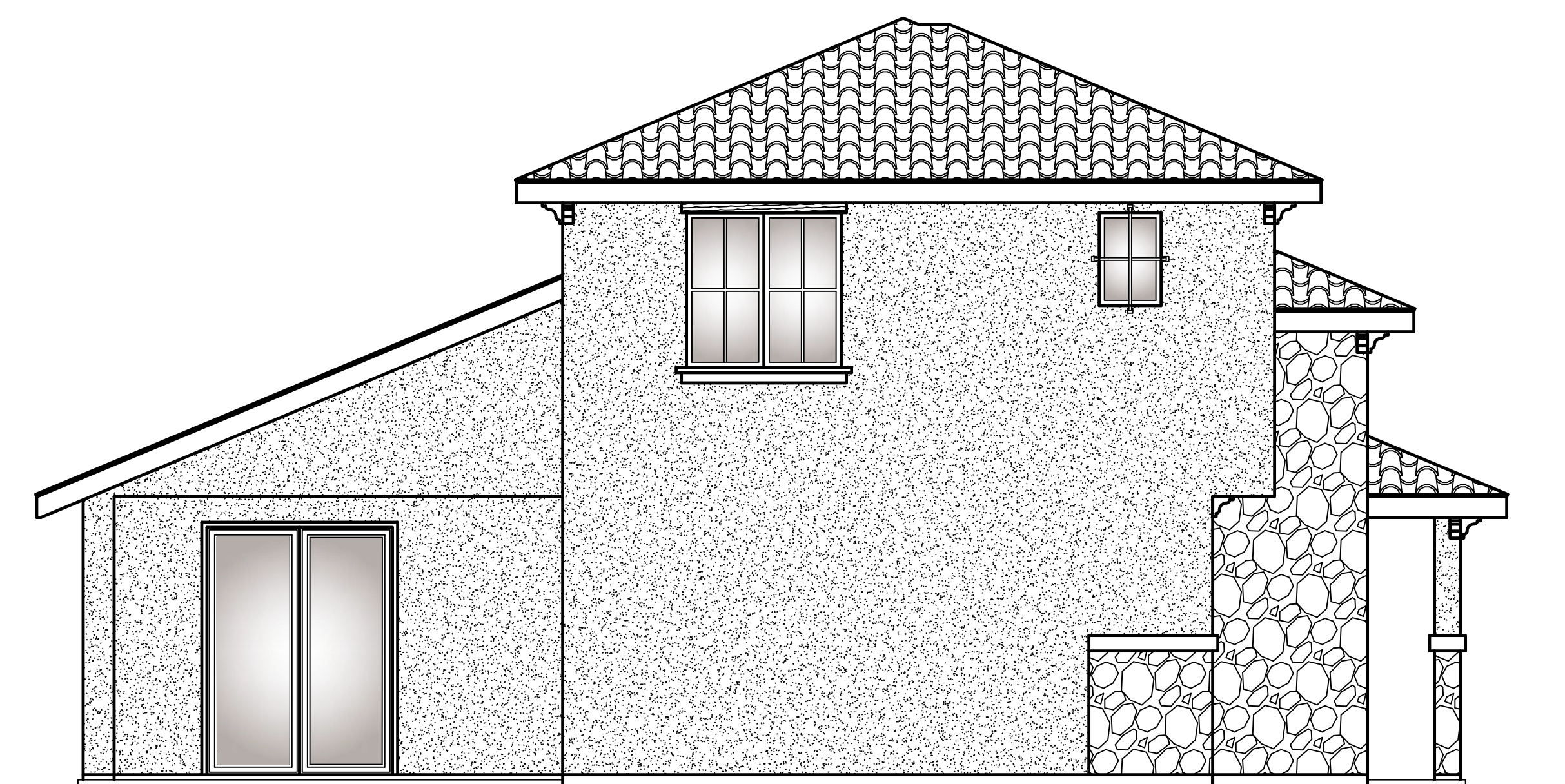


Front Elevation 'C'



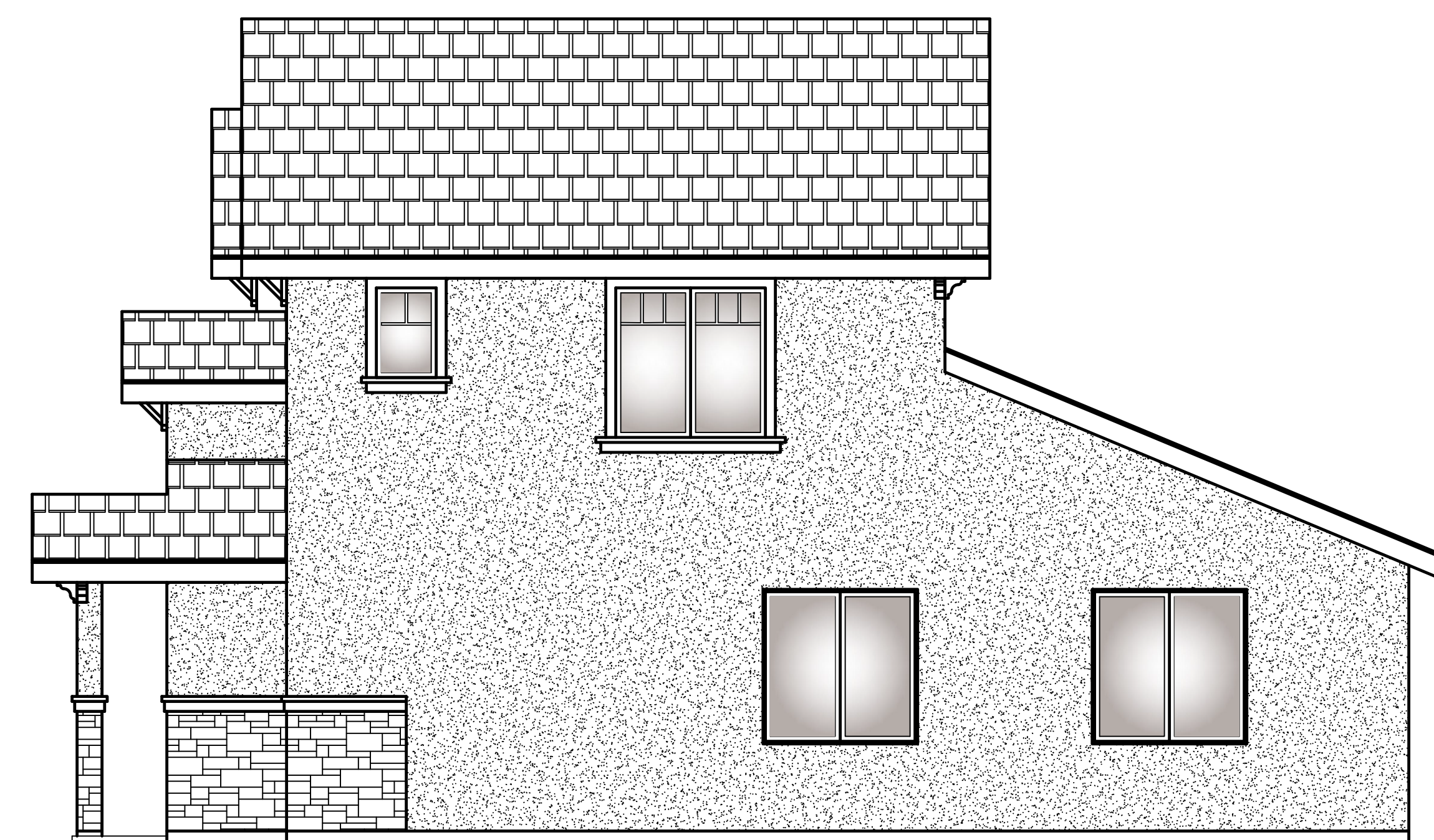
Left Side Elevation 'A'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



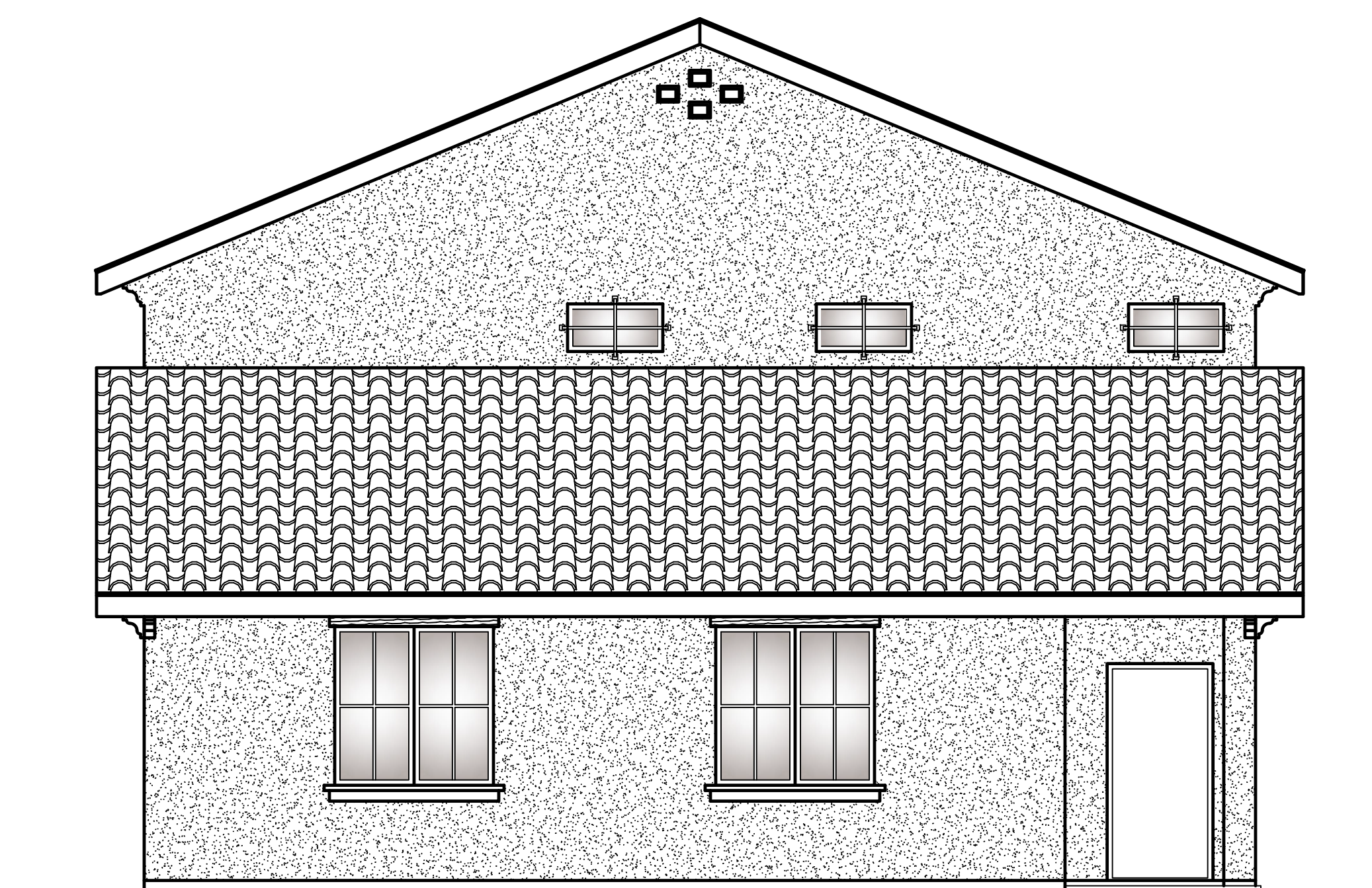
Left Side Elevation 'B'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



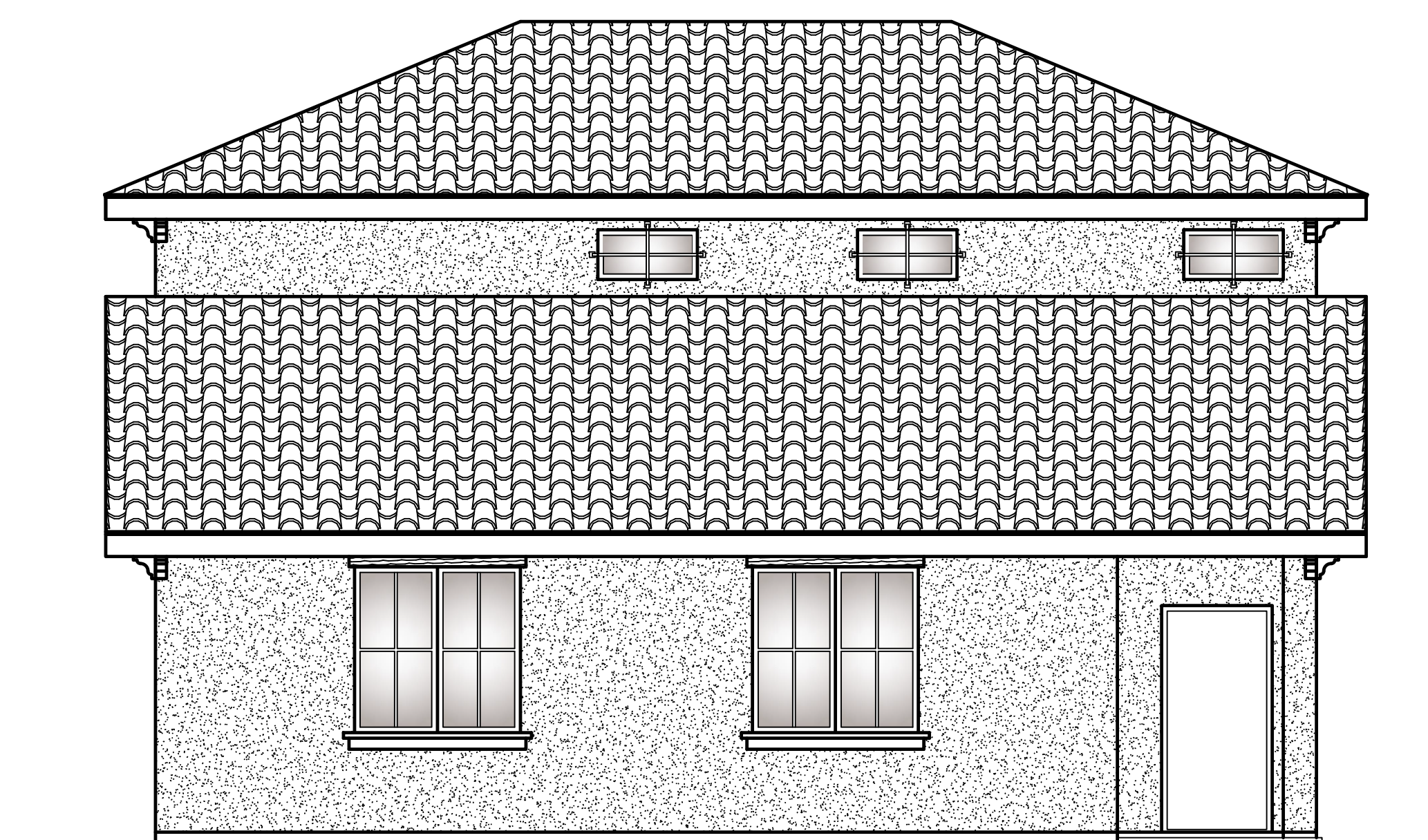
Right Side Elevation 'C'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



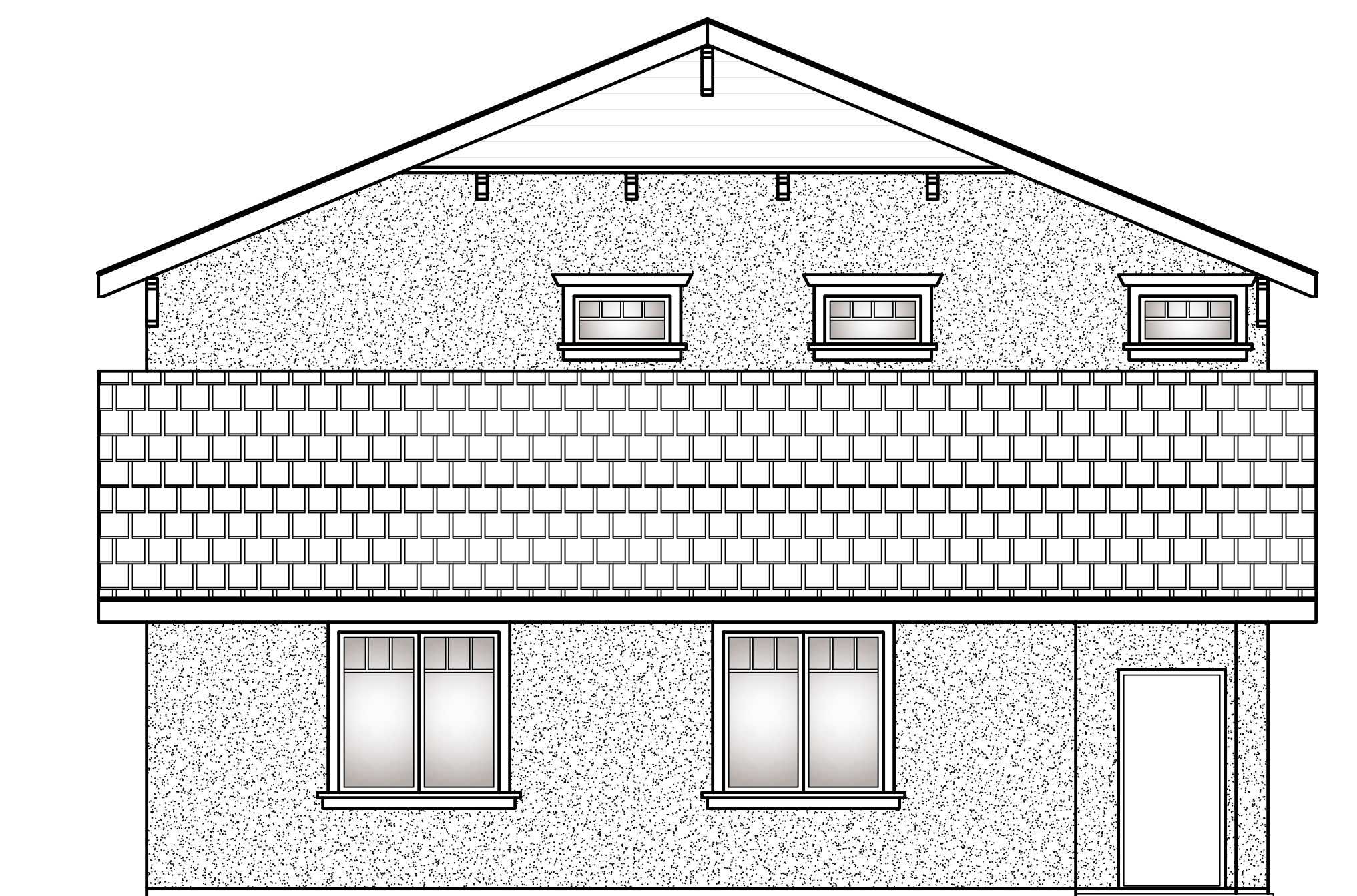
Rear Elevation 'A'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



Rear Elevation 'B'

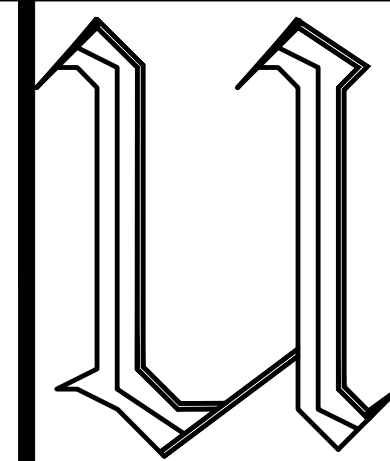
REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



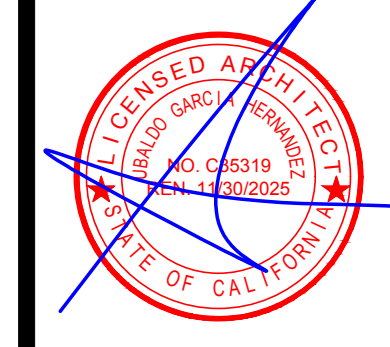
Rear Elevation 'C'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET

The 1450 Plan Exterior Elevations



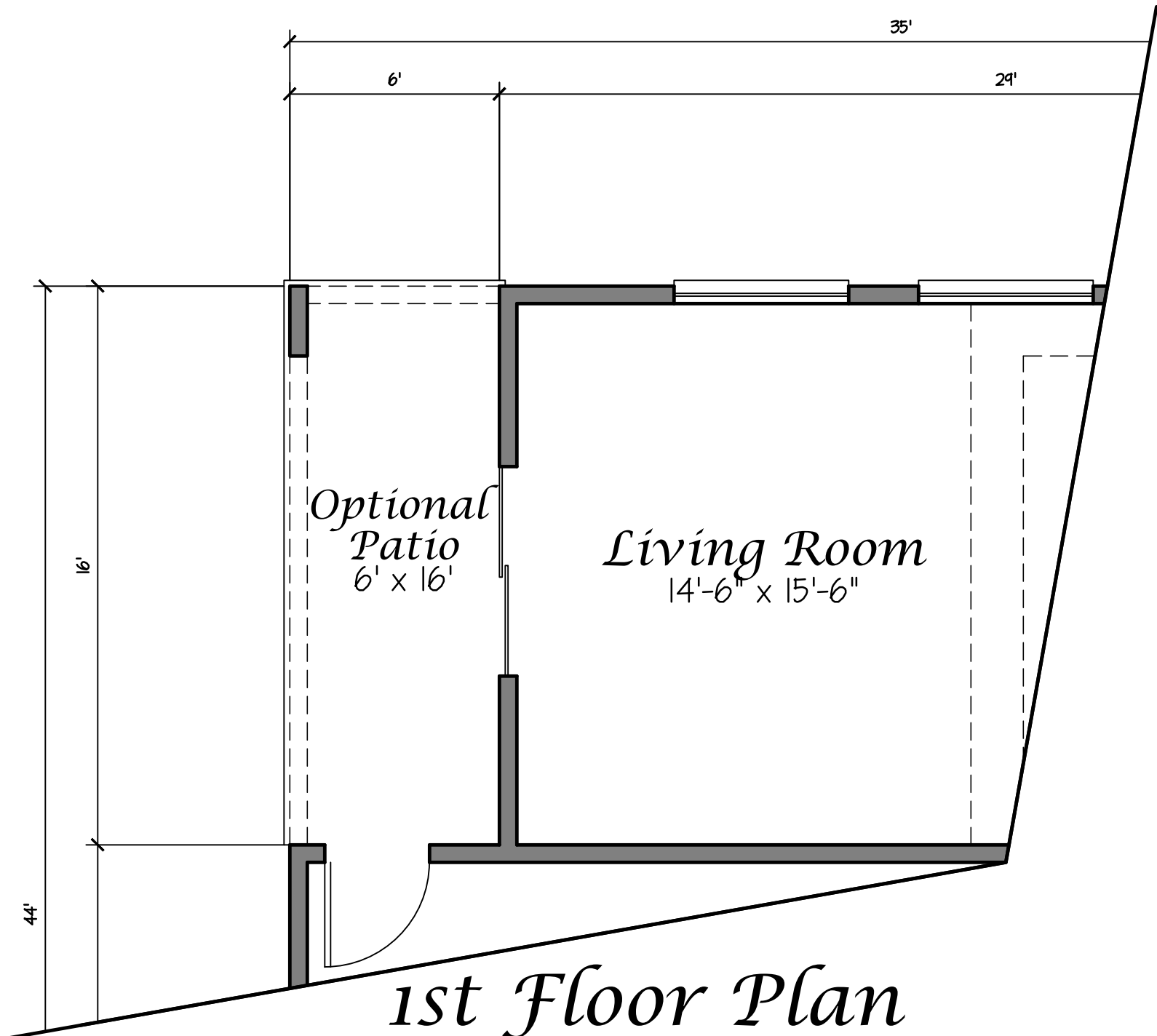
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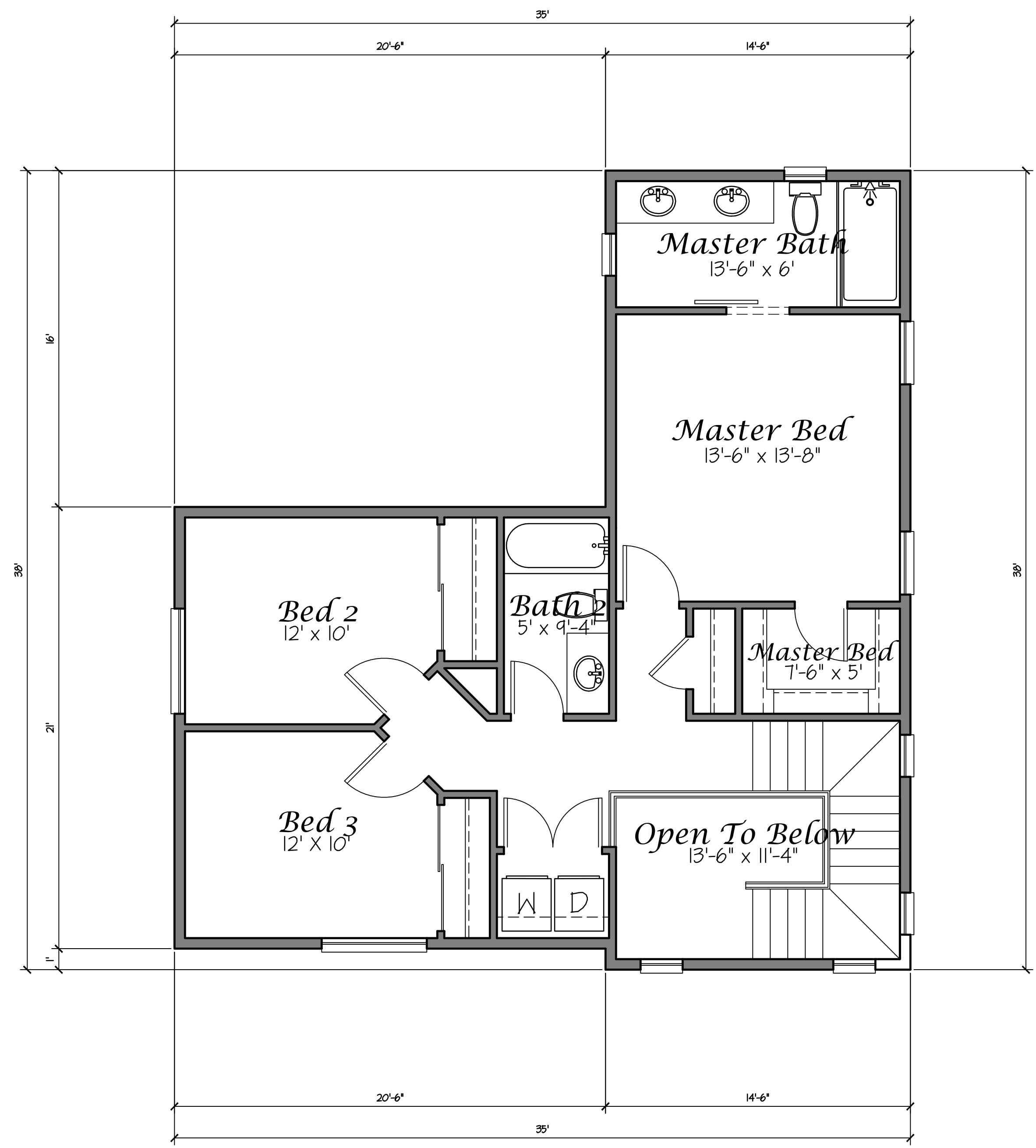
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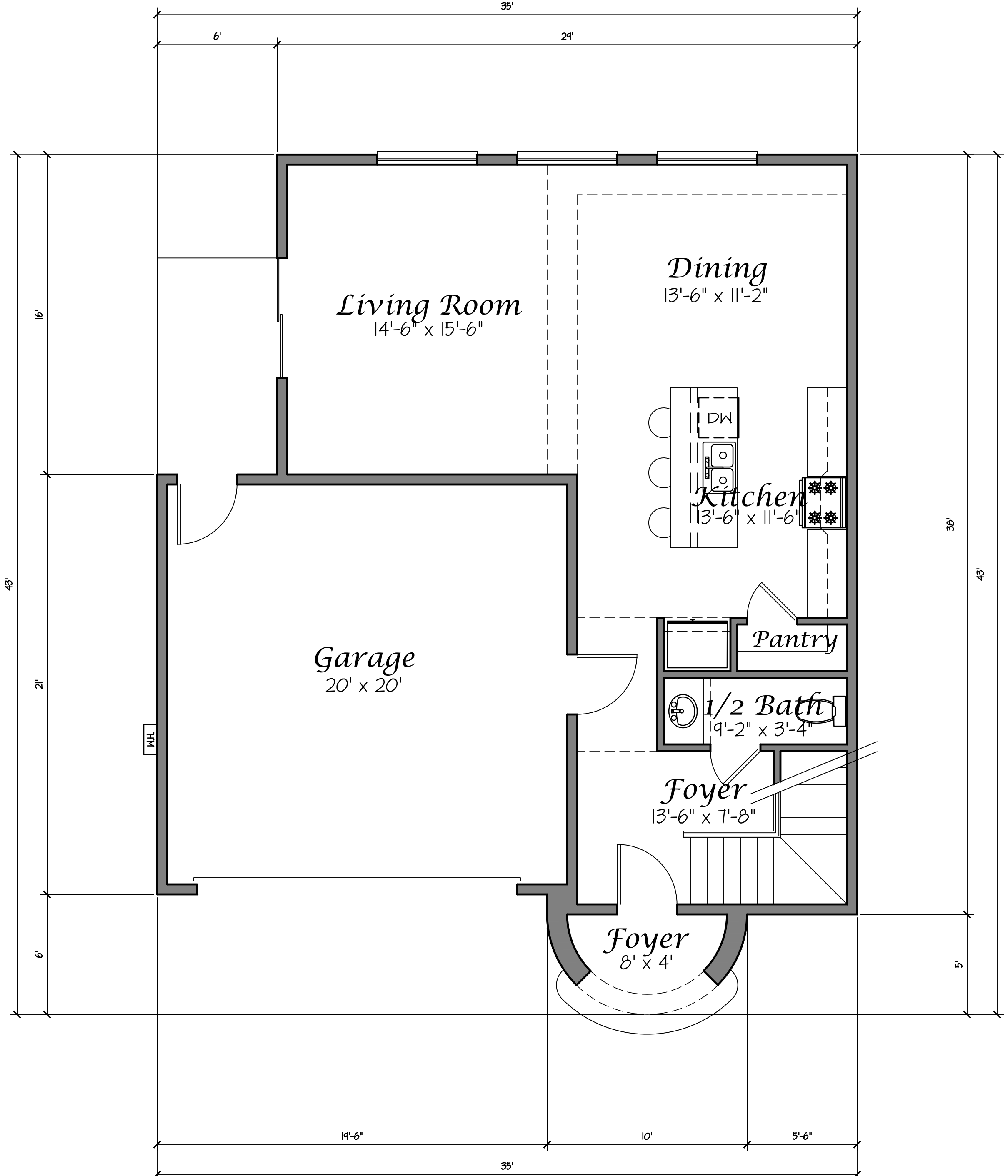
A2



1st Floor Plan
Optional Patio



2nd Floor Plan

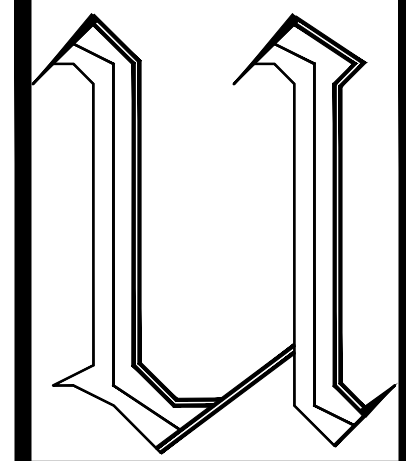


1st Floor Plan

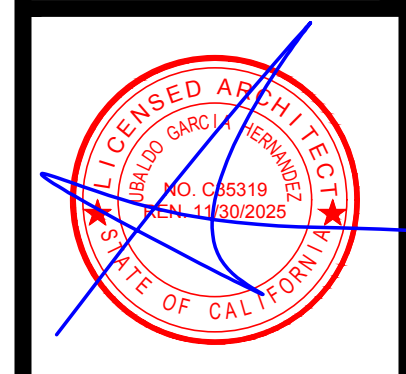
Area:

1ST FLOOR:	740 sq. ft.
2ND FLOOR:	834 sq. ft.
GARAGE:	423 sq. ft.
OPTIONAL PATIO:	96 sq. ft.
PORCH:	54 sq. ft.
TOTAL LIVING:	1,624 sq. ft.
TOTAL:	2,107 sq. ft.

The 1629 Plan 1st & 2nd Floor Plan

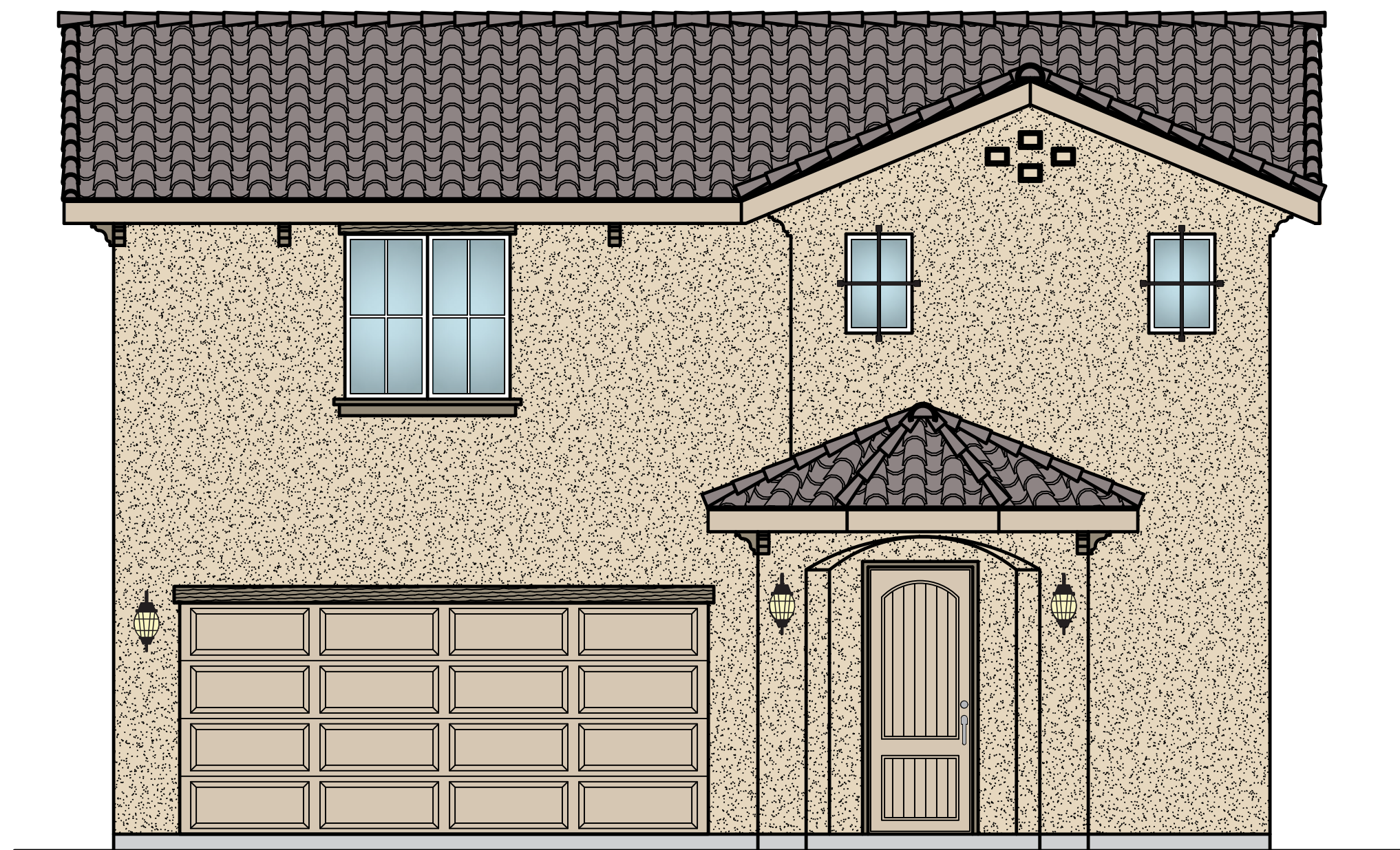


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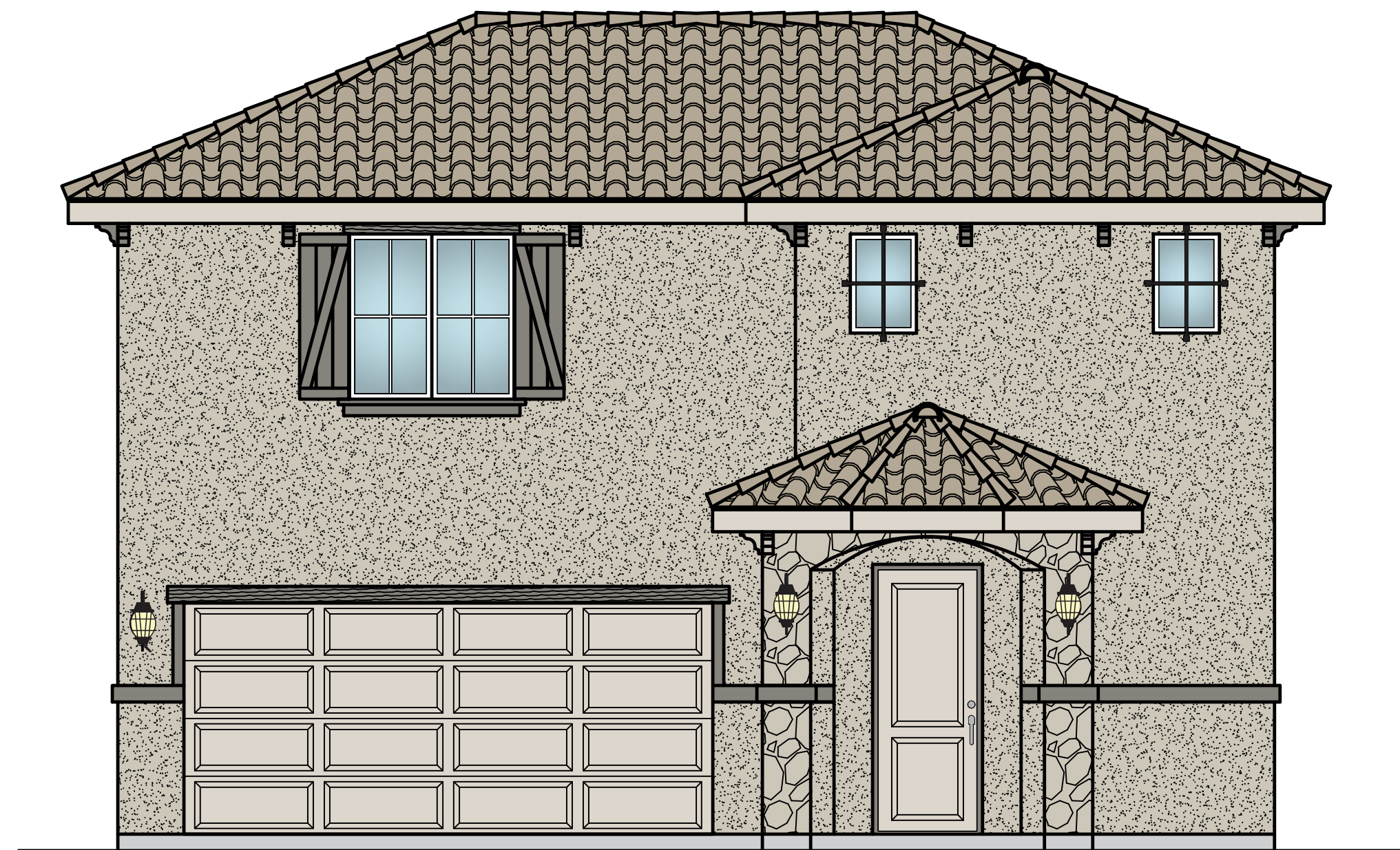
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JOB NO.	1629 PLAN MADERA
SHEET	A1



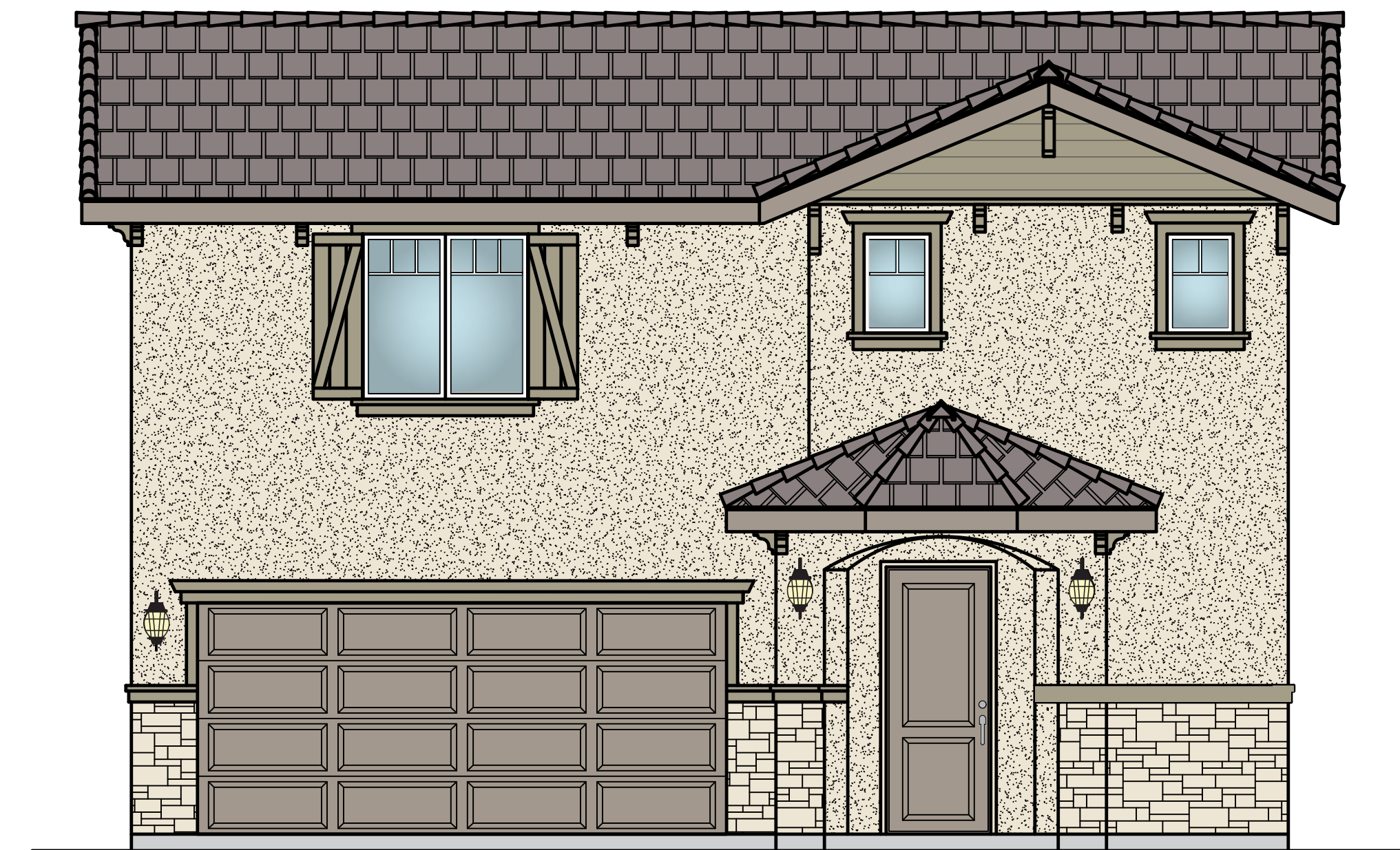
Front Elevation 'A'

CROWN COLOR SCHEME 02



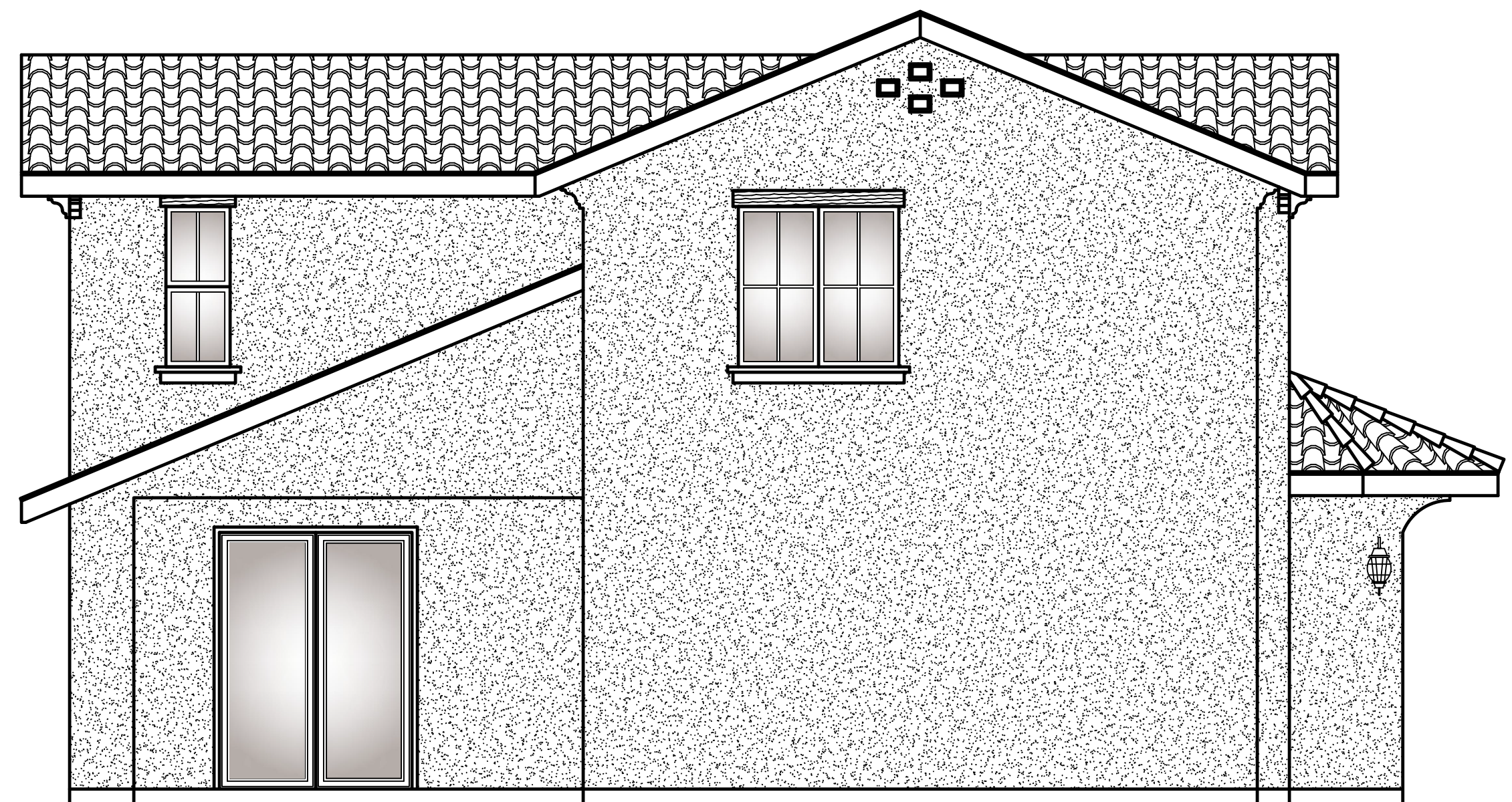
Front Elevation 'B'

CROWN COLOR SCHEME 03



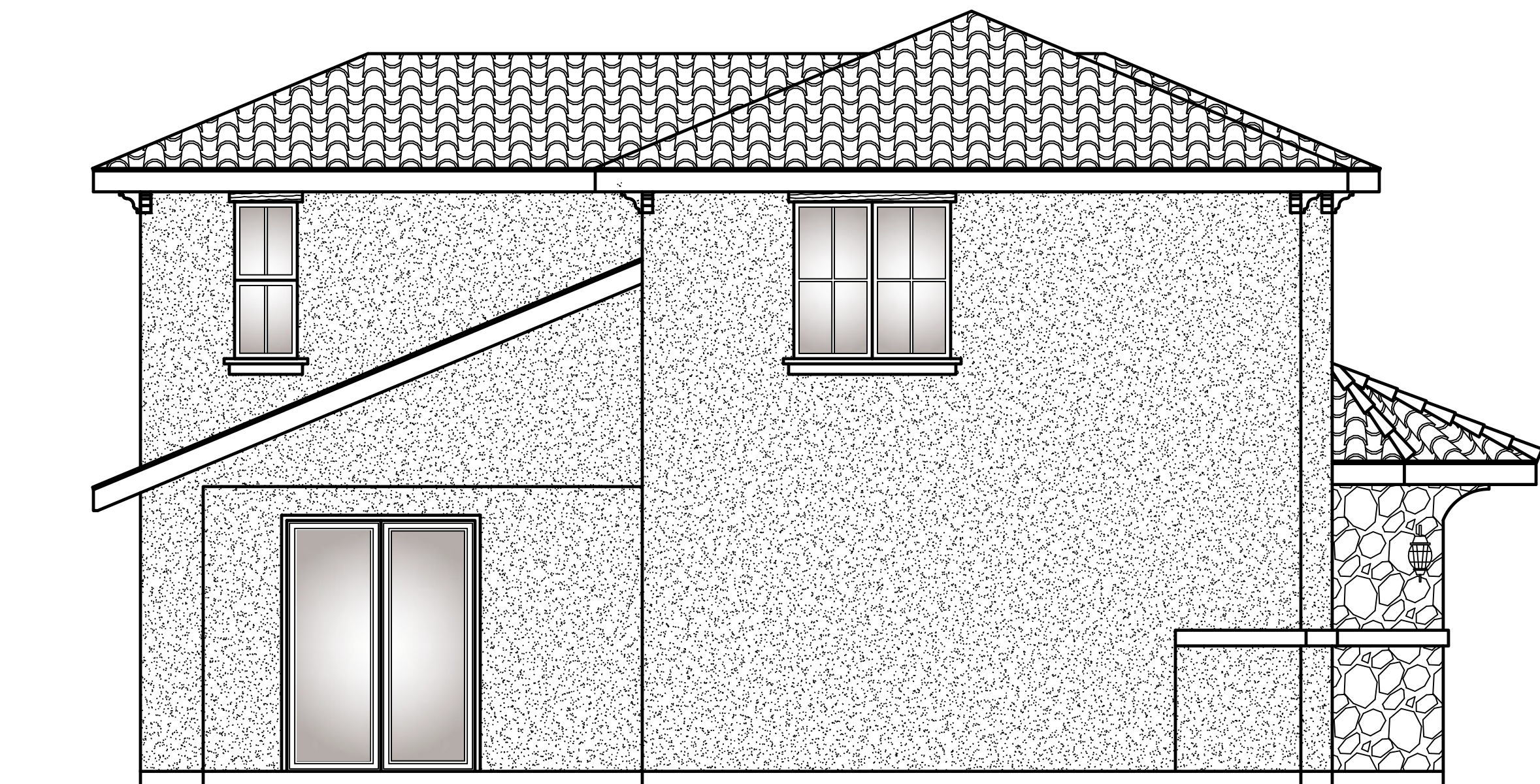
Front Elevation 'C'

CROWN COLOR SCHEME 04



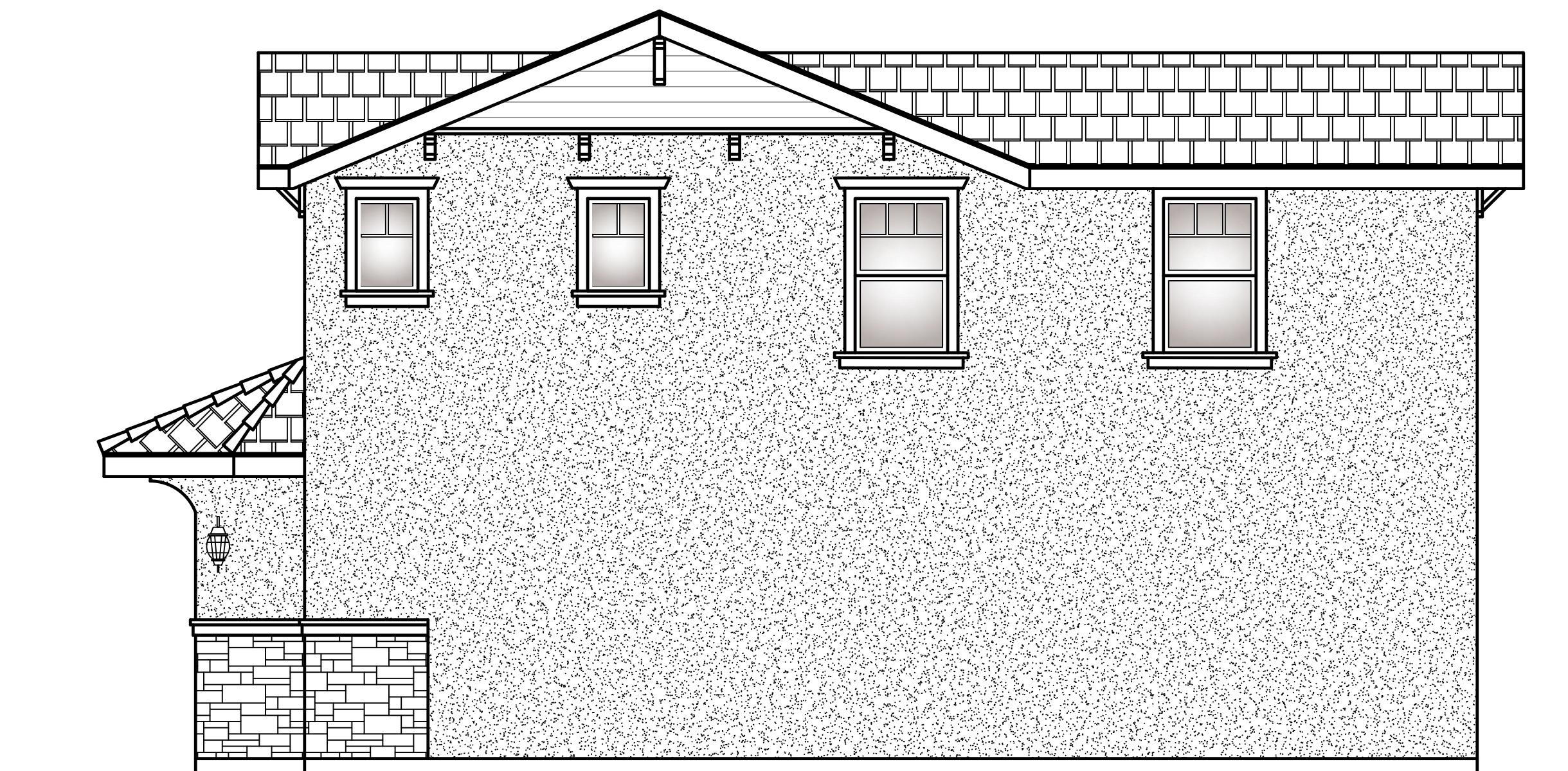
Left Side Elevation 'A'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



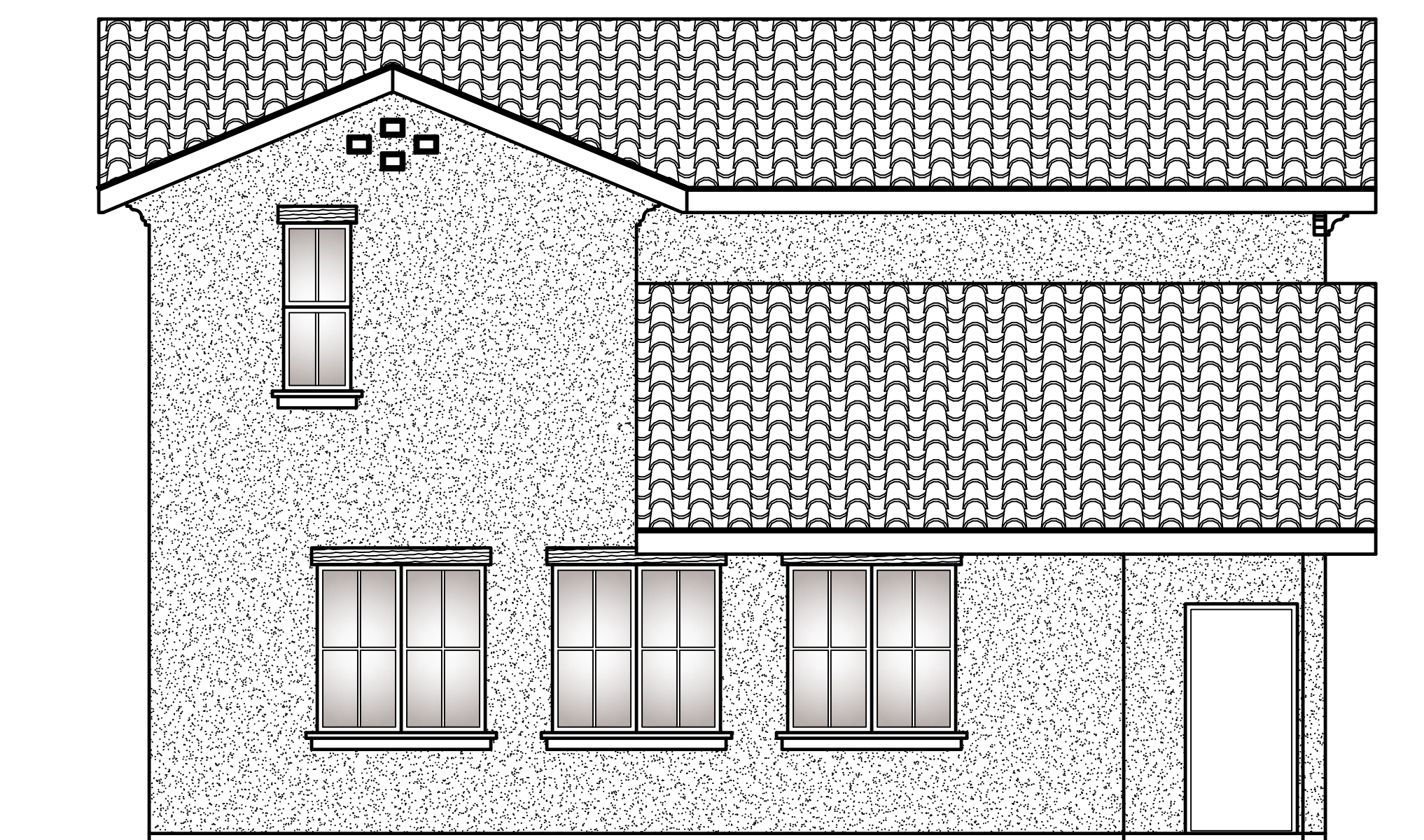
Left Side Elevation 'B'

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



Right Side Elevation 'C'

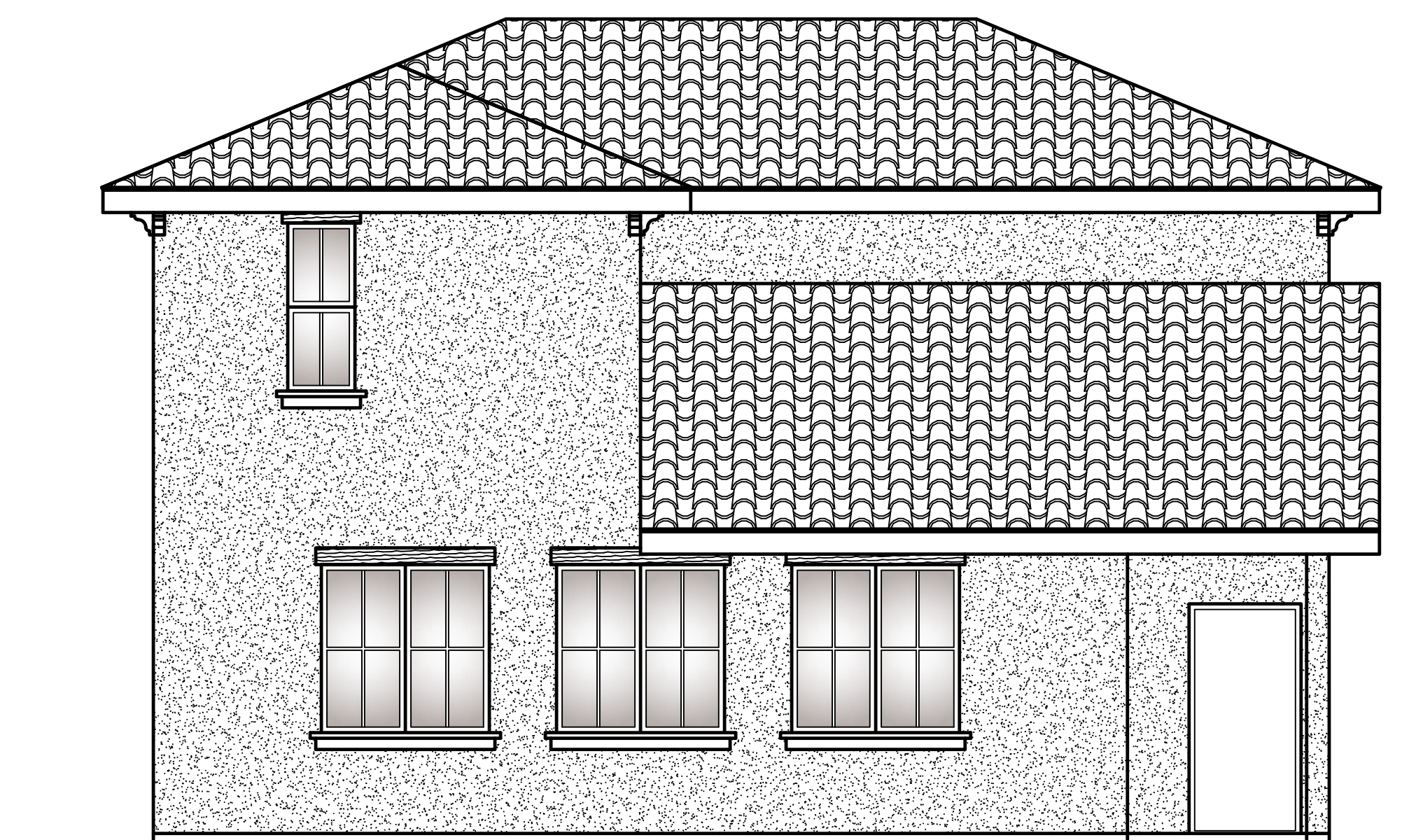
REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



Rear Elevation 'A'

w/ Optional Patio

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET



Rear Elevation 'B'

w/ Optional Patio

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET

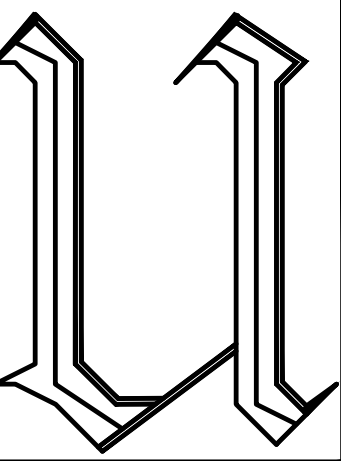


Rear Elevation 'C'

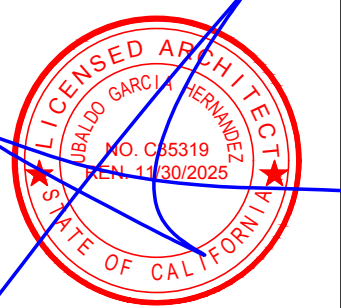
w/ Optional Patio

REAR AND SIDE ELEVATIONS TO MATCH FRONT ELEVATION STUCCO & WINDOW TREATMENTS WHEN ELEVATION IS ADJACENT TO PUBLIC STREET

The 1629 Plan Exterior Elevation



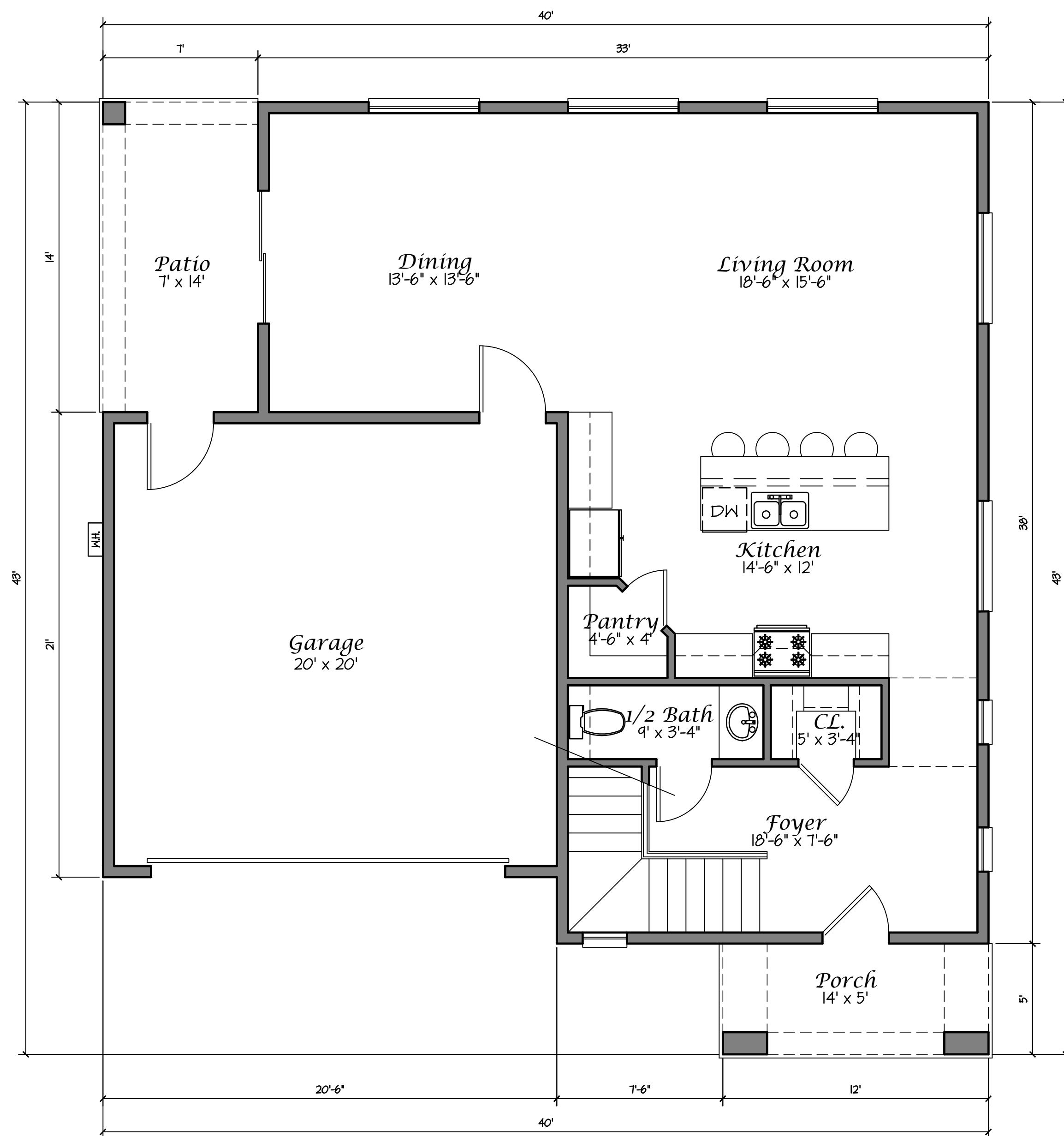
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Email: villadiubaldo@hotmail.com
PO BOX 925
MADERA, CA 93639



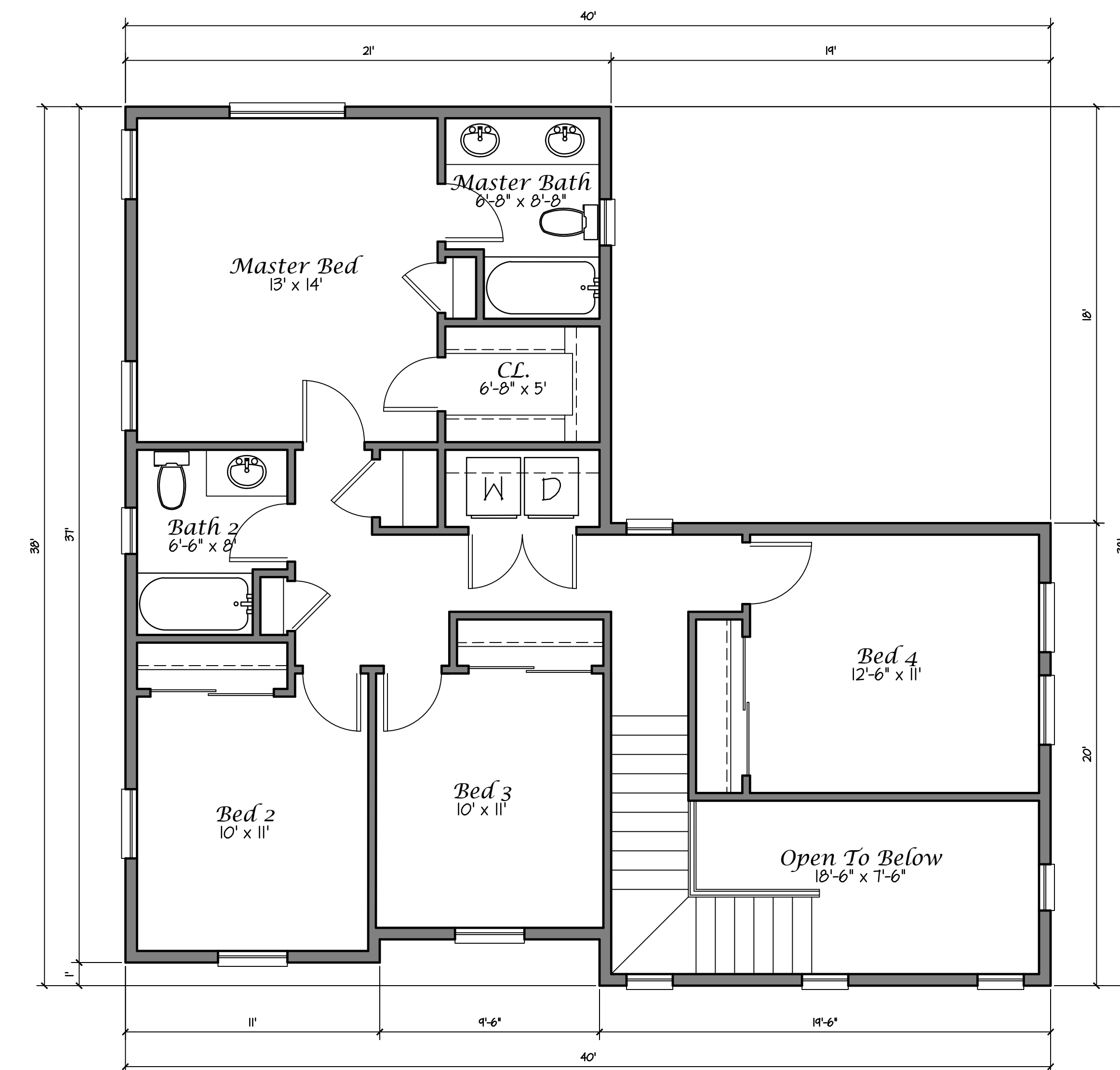
OWNER / BUILDER:
JOSEPH CROWN
CONSTRUCTION & DEVELOPMENT, INC.
5320 E. PINE AVENUE
FRESNO, CA 93727
Phone: (559) 275-5200
Email: jcrowncrownliving.com

DATE:
3 / 1 / 2024
SCALE:
1/4" = 1'-0"
JOB NO:
1629 PLAN MADERA
SHEET

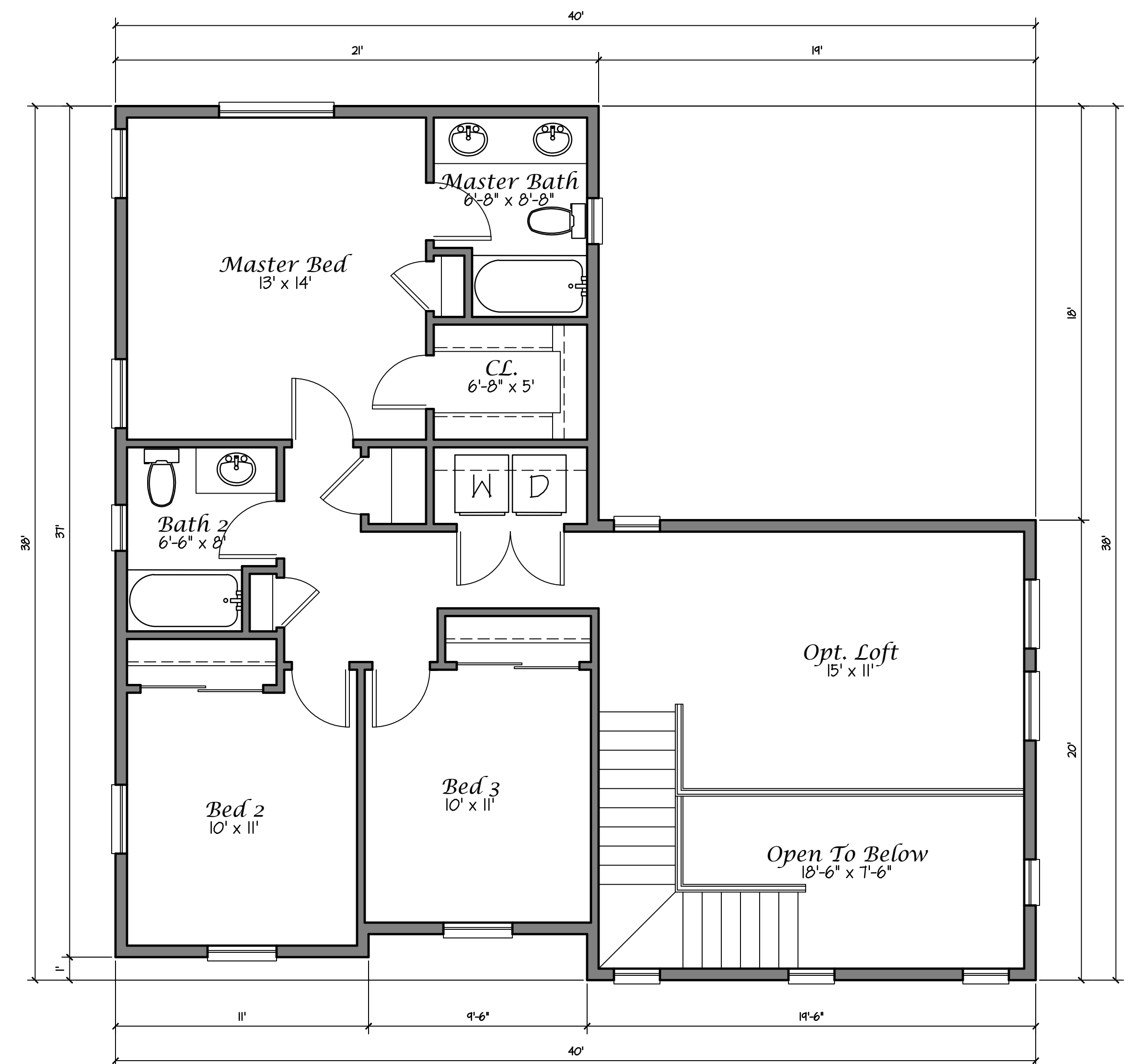
A2



1st Floor Plan



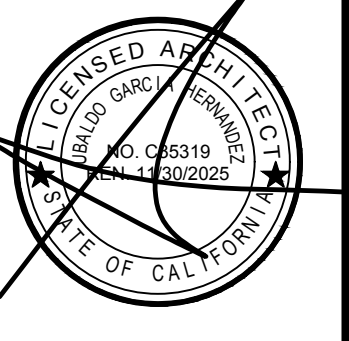
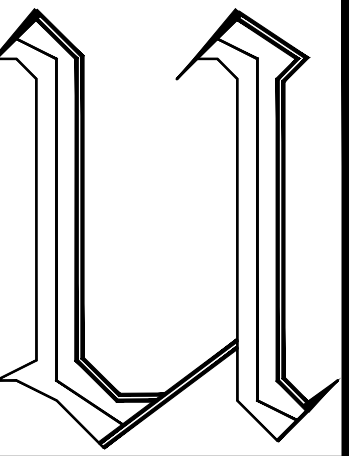
2nd Floor Plan

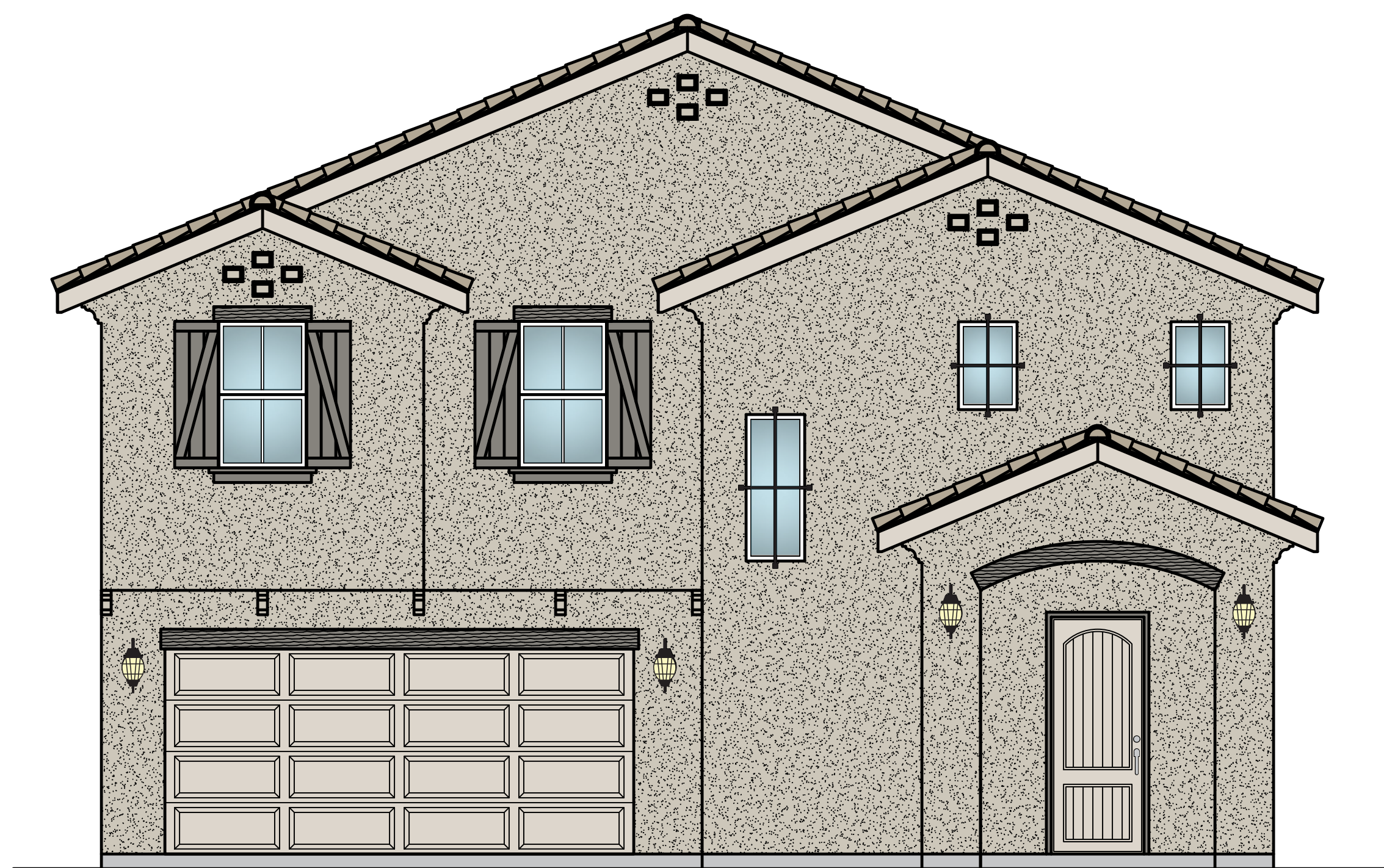


2nd Floor Plan Opt. 'A'

Area:

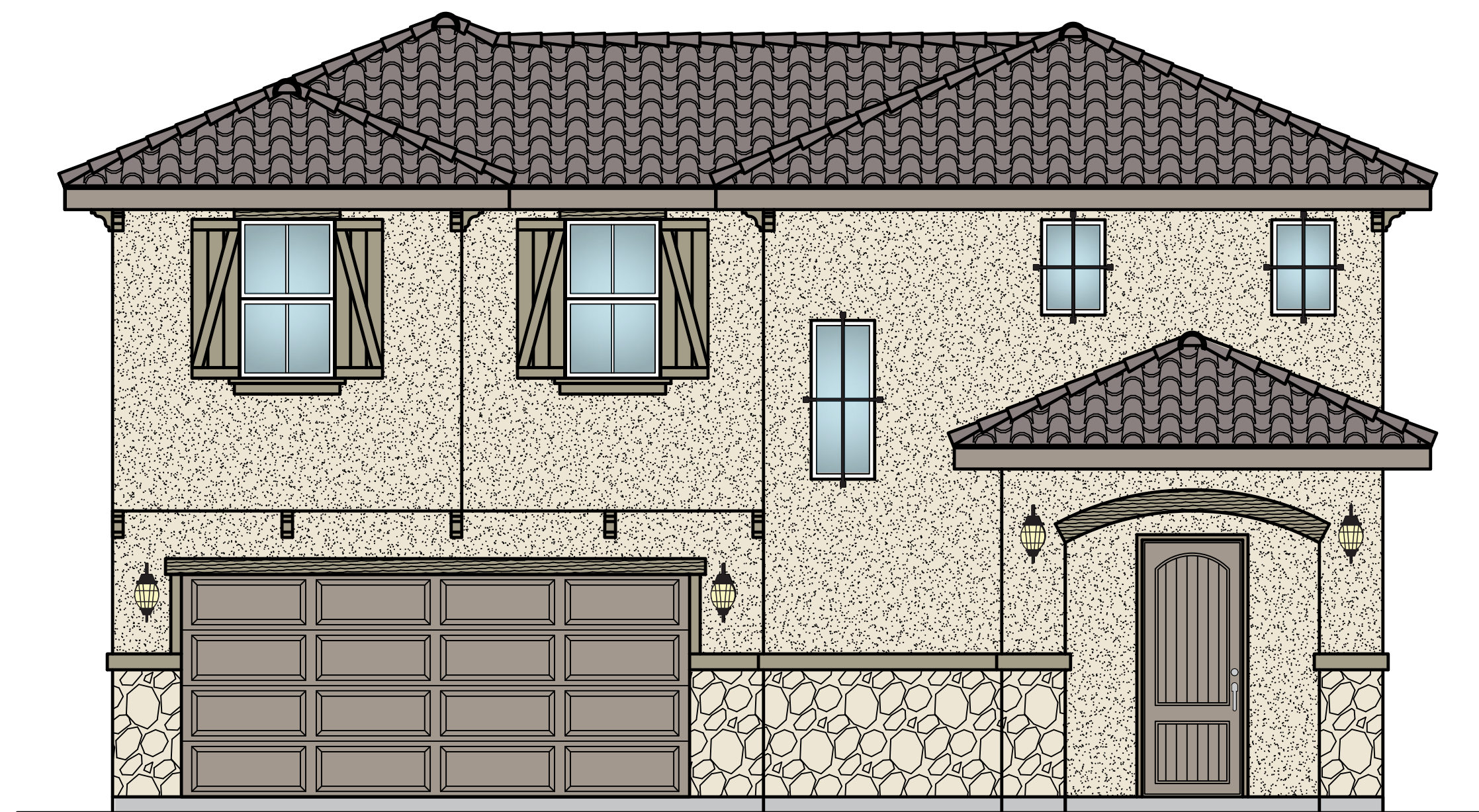
1ST FLOOR:	937 sq. ft.
2ND FLOOR:	983 sq. ft.
GARAGE:	424 sq. ft.
PATIO:	98 sq. ft.
PORCH:	60 sq. ft.
TOTAL LIVING:	1,420 sq. ft.
TOTAL:	2,502 sq. ft.





Front Elevation 'A'

CROWN COLOR SCHEME 03



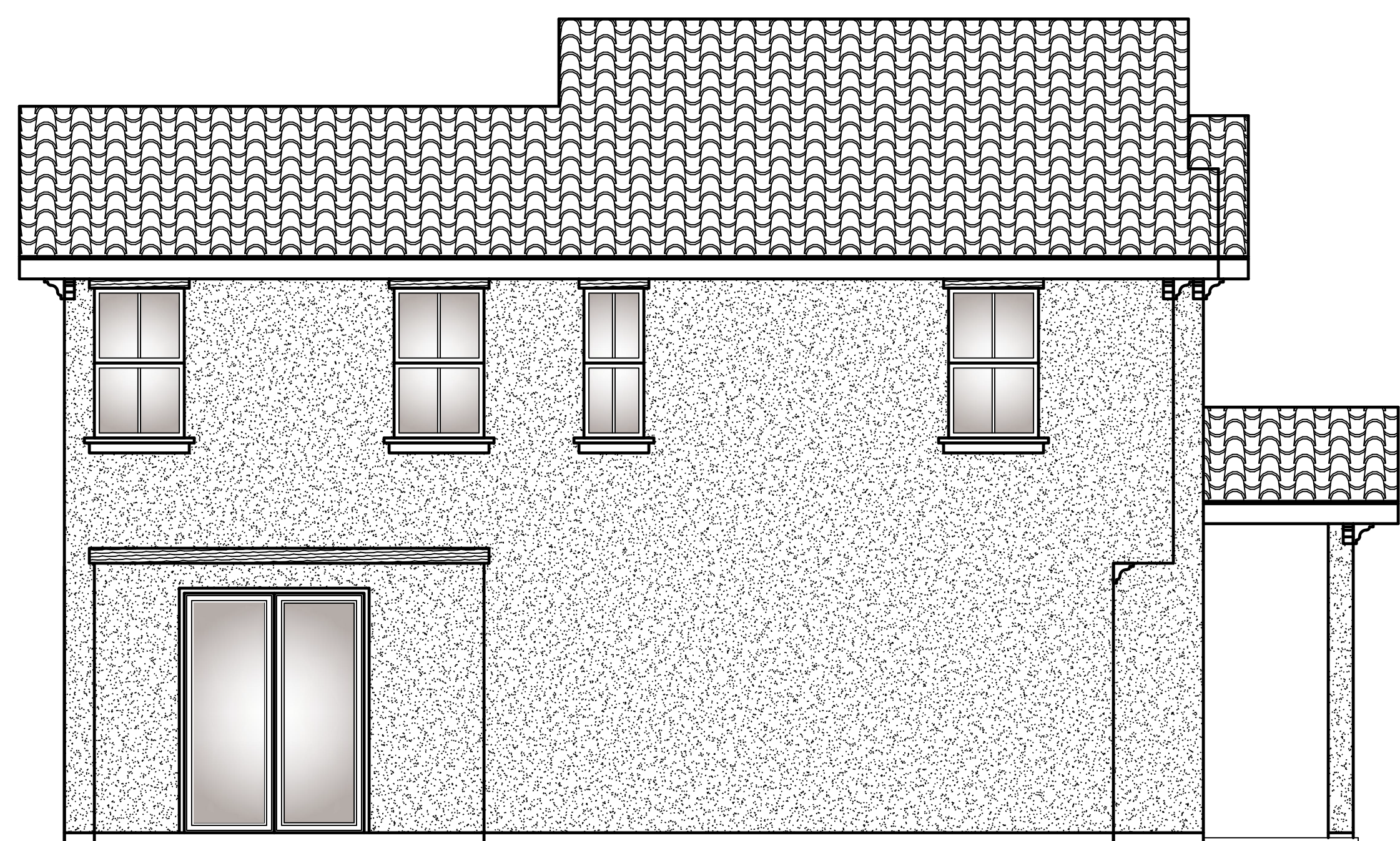
Front Elevation 'B'

CROWN COLOR SCHEME 04

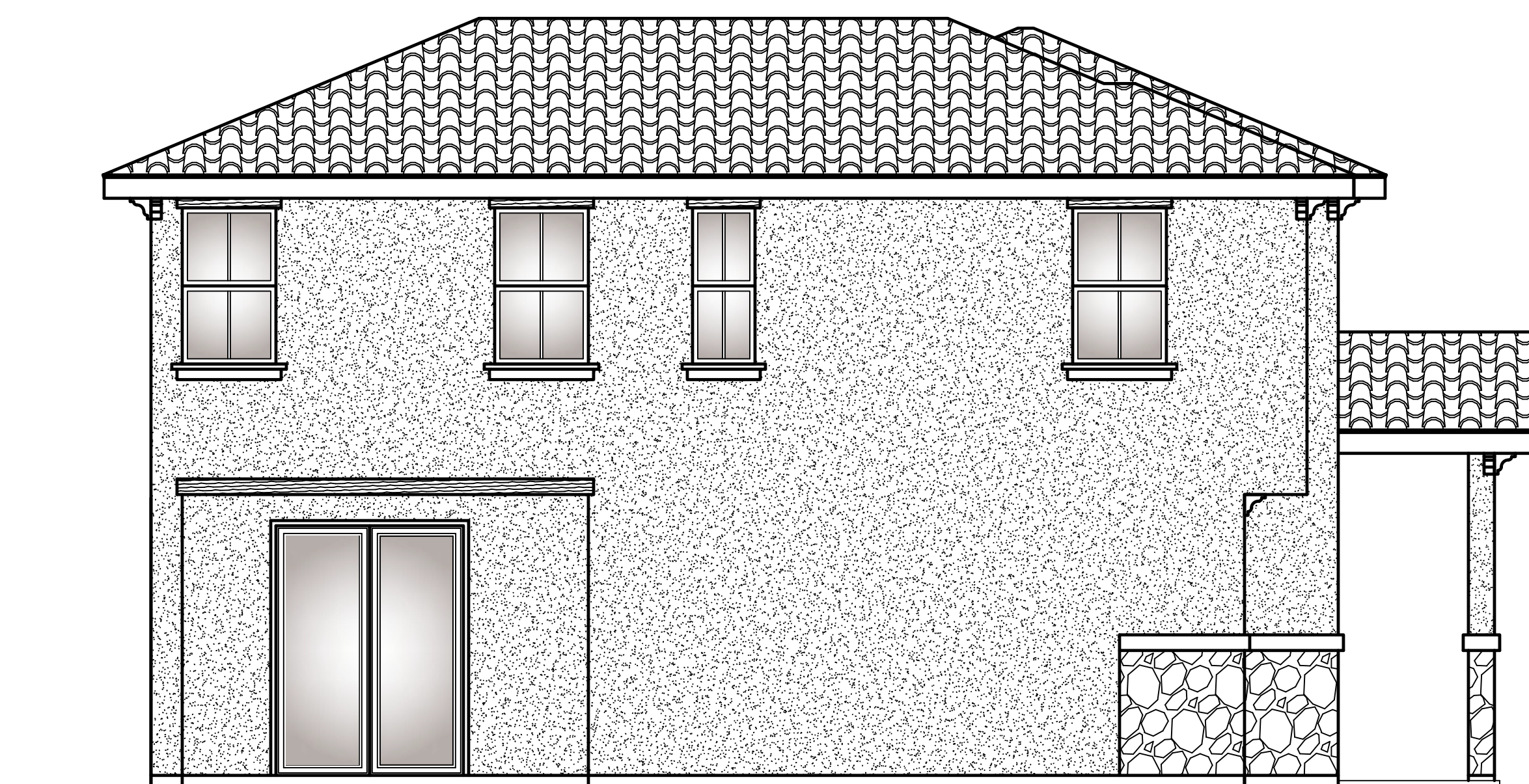


Front Elevation 'C'

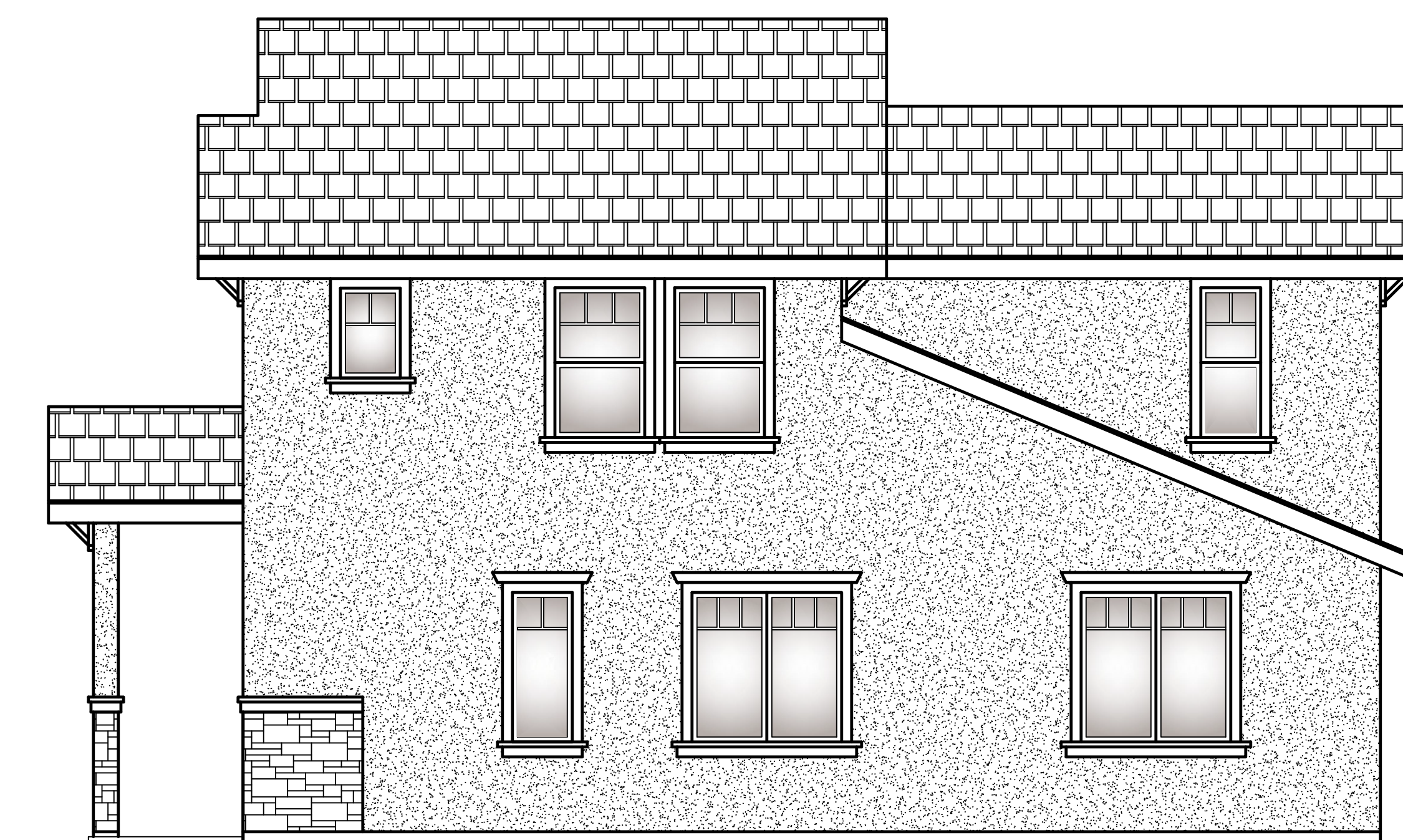
CROWN COLOR SCHEME 05



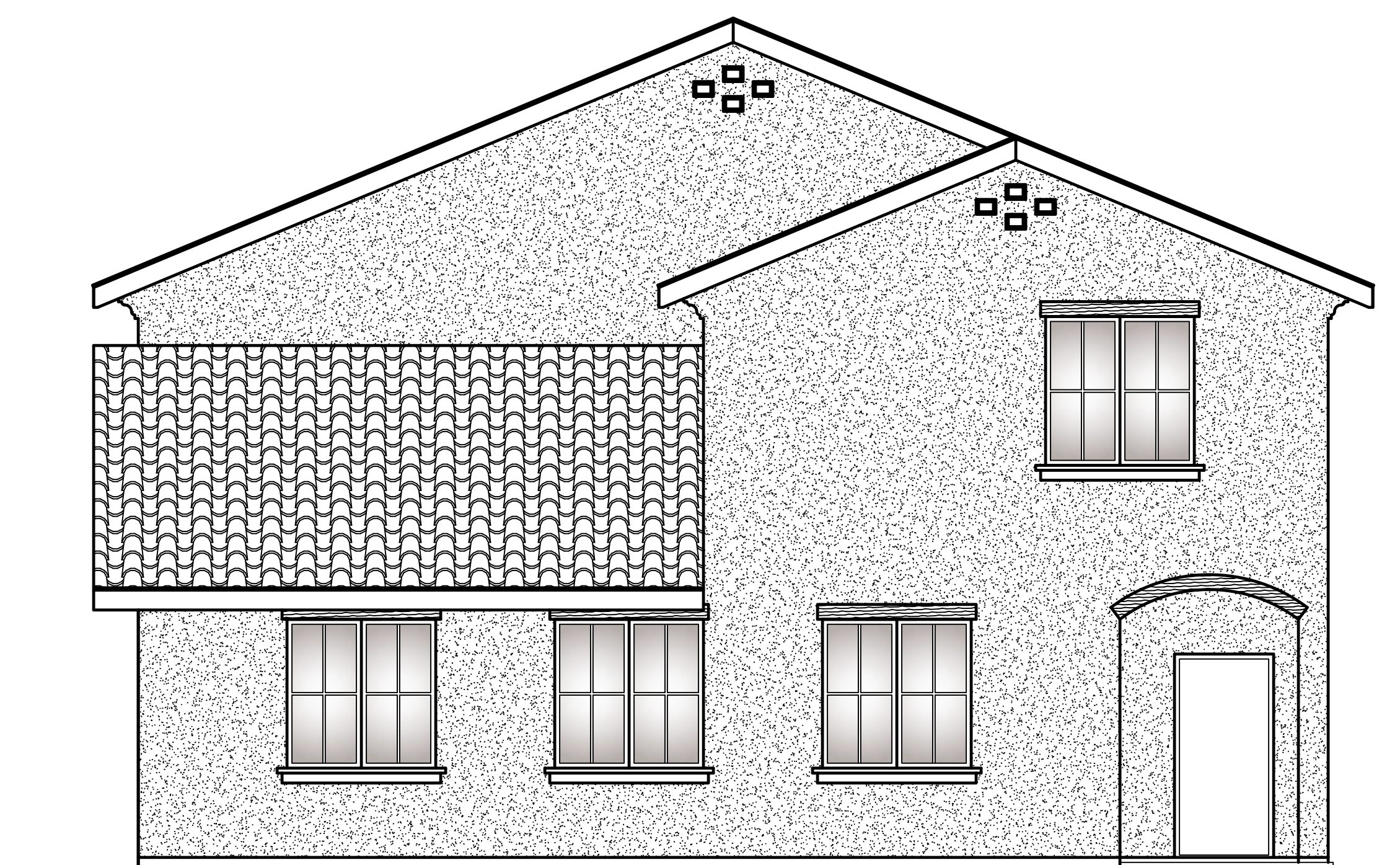
Left Side Elevation 'A'



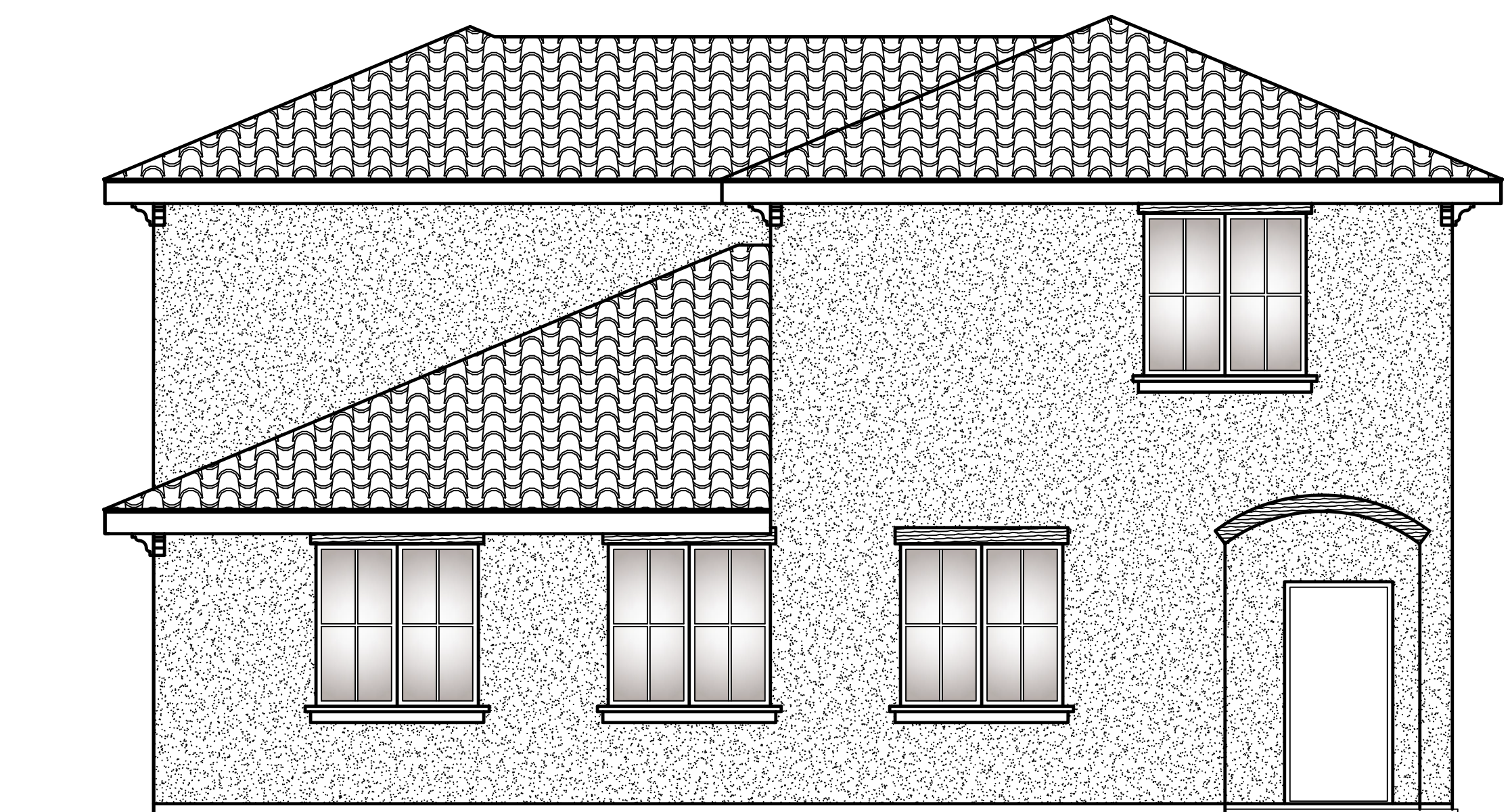
Left Side Elevation 'B'



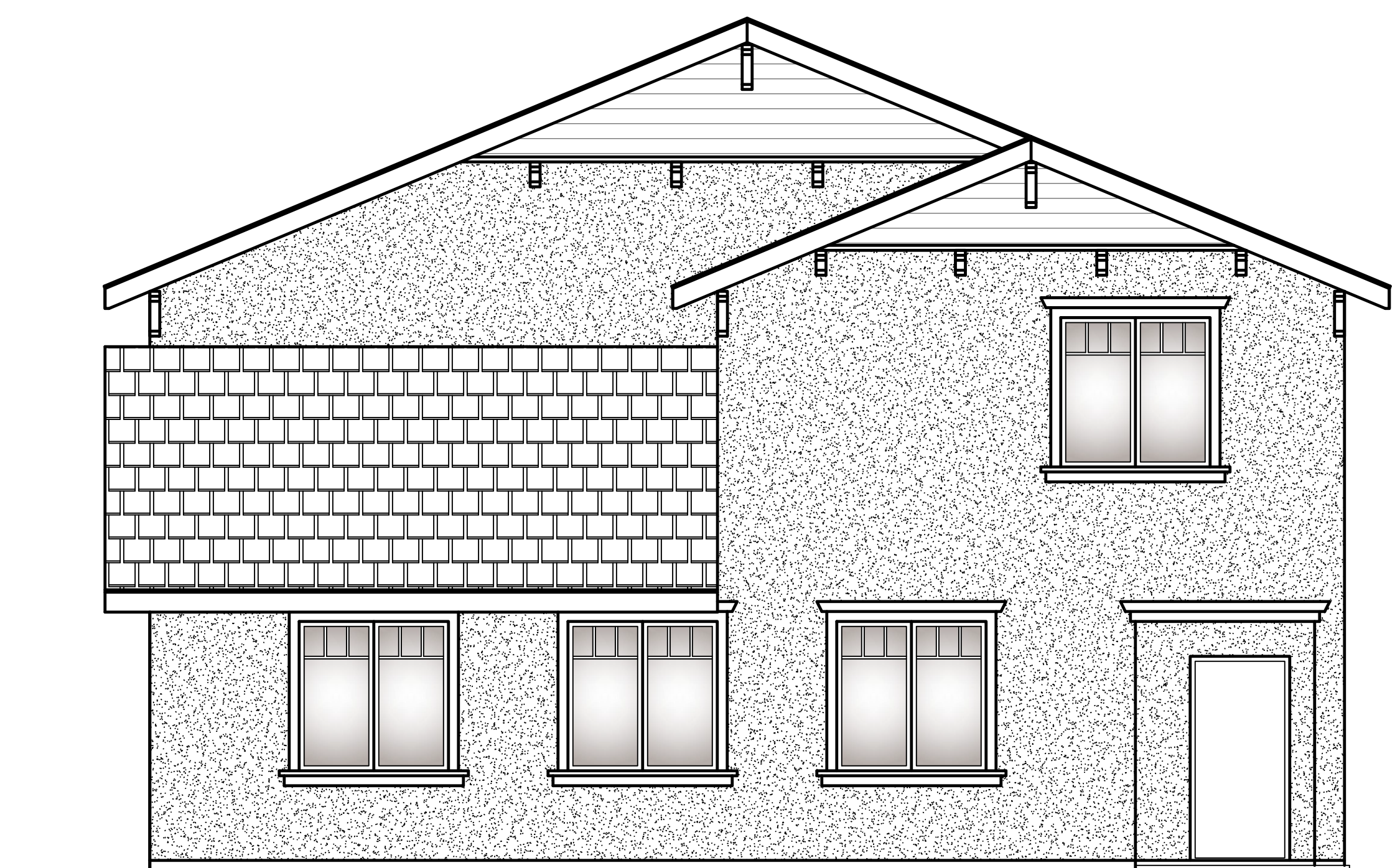
Right Side Elevation 'C'



Rear Elevation 'A'

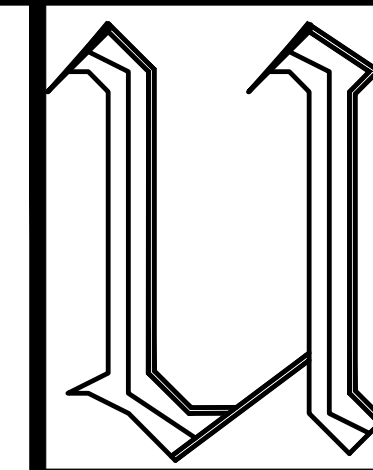


Rear Elevation 'B'

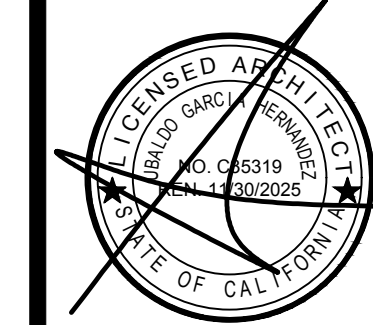


Rear Elevation 'C'

The 1920 Plan Exterior Elevations



Villa Di Ubaldo
Architecture, Engineering & Development
Ubaldo Garcia Hernandez
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DATE:
3/1/2024
SCALE:
1/4" = 1'-0"
SHEET:
1920 PLAN MADERA

SHEET

A2

ATTACHMENT 5

Initial Study/Mitigated Negative Declaration

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

ATTACHMENT 6

Planning Commission Resolution

Including,

Exhibit "A" – Conditions of Approval

Exhibit "B" – TSM 2024-05

Exhibit "C" – Mitigation Monitoring and Reporting Program

RESOLUTION NO. 2026

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA
ADOPTING THE MITIGATED NEGATIVE DECLARATION (SCH NO.
2025030734) AND THE MITIGATION MONITORING AND REPORTING
PROGRAM PREPARED FOR PURPOSES OF THE PROPOSED PROJECT IN
ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA) GUIDELINES; AND APPROVING TSM 2024-05 AND PPL 2024-04**

WHEREAS, Joseph Crown Construction (“Owner”) own Assessor’s Parcel Numbers (APNs): 011-370-005, comprising ±29.08 acres of land located on the east side of Tozer Street (Rd. 28) between Avenue 13½ and East Pecan Avenue (Avenue 13) in the County of Madera, California (“site”); and

WHEREAS, Tentative Subdivision Map (TSM) 2024-05 has been filed requesting authorization to subdivide the site for purposes of creating a 168-lot single family residential planned development in accordance with Precise Plan (PPL) 2024-04 (collectively, the “Project”); and

WHEREAS, TSM 2024-05 has been filed in accordance with the provision of § 10-2.1202 et seq. of the City Municipal Code (CMC) and approval shall confer the development rights described in CMC § 10-2.1218 and in accordance with California Government Code (CGC) § 66498.1(b); and

WHEREAS, PPL 2024-04 has been filed in accordance with the provision of City Municipal Code § 10-3-4.103, which provides no construction, grading, or new development activity shall commence in any PD Zone prior to the approval of a precise plan; and

WHEREAS, this project was assessed in accordance with the provisions of the California Environmental Quality Act (“CEQA”) resulting in preparation of a Mitigated Negative Declaration (SCH No. 2025030734) including a Mitigation Monitoring and Reporting Program, which has been circulated, and made available for public review pursuant to CEQA and the City of Madera Municipal Code (CMC); and

WHEREAS, under the City’s Municipal Code, the Planning Commission is authorized to review and approve tentative subdivision maps and precise plans on behalf of the City; and

WHEREAS, the City provided notice of the Planning Commission hearing as required by law for the hearing on April 8, 2025; and

WHEREAS, the Planning Commission received and reviewed TSM 2024-05, and PPL 2024-04 at the duly noticed meeting on April 8, 2025; and

WHEREAS, at the April 8, 2025, public hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

WHEREAS, after due consideration of all the items before it, the Commission now desires to adopt this Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving TSM 2024-05, and PPL 2024-04 with conditions.

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: The Commission finds an environmental assessment Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared

for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed Project and relevant environmental issues. Pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration circulated on March 15, 2025, and all comments received, the Commission finds that with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. Furthermore, the Commission finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the City and the mitigation measures have been made enforceable conditions on the project. The Commission further finds the Initial Study and Mitigated Negative Declaration were timely and properly published and noticed as required by CEQA. As such, the Commission hereby adopts the Mitigated Negative Declaration (SCH No. 2025030734) and the Mitigation Monitoring and Reporting Program (Exhibit C) for purposes of the proposed project.

3. Findings for TSM 2024-05, and PPL 2024-04: The Planning Commission finds and determines that there is substantial evidence in the administrative record to support approval of Subdivision Map TSM 2024-05, as well as Precise Plan PPL 2024-04, as conditioned. With the conditions, the project is consistent with the requirements of the Municipal Code, including Section 10-2.402 and 10-2.1208. 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. *The proposed subdivision is consistent with the General Plan and specific plans.*

The project site is zoned PD-6000 (Planned Development, one unit for each 6,000 square feet of site area) (Attachment 2). The Madera General Plan designates the project site for Medium Density Residential (7.1-15 dwelling units per acre) and Neighborhood Mixed Use land uses. Based upon the net acreage, the proposed 168-lot single-family residential subdivision would yield a density of ± 7.6 dwelling units per acre, consistent with the Medium Density Residential range.

The project site is located in Village G of the Madera General Plan, which is comprised of five conceptual neighborhoods. The General Plan Neighborhoods concept is utilized in conjunction with the Village concept as the “Building Blocks” for Madera’s future growth. Policy LU-33 of the General Plan describes these concepts in greater detail. In general, Neighborhoods are compact walkable residential areas with higher density and a small-scale, neighborhood serving activity center, which is the purpose of the Neighborhood Mixed Use land use designations found dispersed throughout Village G, including at the northeast corner of the project site. The Neighborhood Mixed Use designation applies not only to the northeast corner of the project site but also the respective southeast, southwest, and northwest corner of the abutting four parcels; providing a total planned acreage of ± 4.30 acres for a Neighborhood Mixed Use activity center at the center of quarter corner section. Neighborhood activity centers can include places of interaction such as schools, libraries, community centers, parks that feature activity elements (e.g., playground and athletic courts) or neighborhood

serving commercial uses (e.g., small markets, coffee shops, small restaurants, etc. with a total square footage less than 10,000 sq. ft.). The subdivision map proposes to dedicate a ±1.22 acre portion of the project site designated for Neighborhood Mixed Use for public open space/park purposes. The subdivision design provides a quarter-mile connector street from Tozer Street (Rd. 28) to the planned activity center at the center of the quarter corner section as well as a local street adjacent to the respective frontages of the proposed park space which will collectively provide a system of boundary and stub streets which will provide future vehicular and pedestrian connectivity and which will facilitate logical development of the planned activity center where planned on the adjacent and abutting properties.

The first of the four core vision statements in the Vision Plan is a “well-planned City.” The Commission, by considering how this development connects to other developments and how the neighborhood and infrastructure can be maintained, is actively implementing this key concept of the Vision Plan. Moreover, approval of the project is specifically consistent with Strategy 131, “Create Well-Planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities and commercial components.”

The Subdivision Maps and Precise Plan are consistent and compatible with the City’s General Plan land use designations in the General Plan. The procedural requirements of the Subdivision Map Act have been met, and all parcels comply with the accompanying Precise Plan, including all applicable, General Plan, engineering, and zoning standards pertaining to grading, drainage, utility connections, lot size and density. In this regard, the design and improvements of the subdivision, subject to the conditions of approval, will be consistent with the requirements and improvement standards of the City of Madera.

- b. *The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.*

The proposed subdivision and precise plan, in the context of the surrounding area, existing conditions and uses are consistent with the General Plan. As stated in Finding “a” herein above, the project will be consistent with the General Plan density designations and contributes to the fulfillment of the Madera General Plan Vision statements. The project and precise plan are compliant with the City’s Zoning Regulations, and public dedication and improvement requirements subject to the attached project conditions of approval.

- c: *The site is physically suitable for the type of development.*

Adequate service capacity is available to service the subject site.

The project site is planned for Medium-Density Residential and Neighborhood Mixed Use land uses by the Madera General Plan. The IS/MND prepared for the project sufficiently reviews the project pursuant to State CEQA Guidelines, which identifies the requirements for which analysis shall be carried out and the IS/MND provide sufficient analysis and project mitigations that, no further environmental review is required.

d: *The site is physically suitable for the proposed density of development.*

The proposed project of 168 single family residential units on ±22.13 net acres of residentially planned land at a density of approximately 7.6 dwelling units per acre is consistent with the Medium Density Residential (7.1-15.0 dwelling units per acre) land use designated for site.

The Precise Plan demonstrates compatibility with the conventional development standards for single family residential zoning in the City Municipal Code.

e: *The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

4. Approval of TSM 2024-05, and PPL 2024-04: Given that all findings can be made, the Planning Commission hereby approves TSM 2024-05, and PPL 2024-04 as conditioned as set forth in the Conditions of Approval attached as Exhibit "A;" and, adopts the Mitigated Negative Declaration (SCH No. 2025030734), including the Mitigation Monitoring and Reporting Program as attached as Exhibit "C."

5. Effective Date: This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 8th day of April 2025, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Robert Gran Jr.
Planning Commission Chairperson

Attest:

Will Tackett
Community Development Director

Exhibit "A" Conditions of Approval
Exhibit "B" TSM 2024-05 Subdivision Map
Exhibit "C" Mitigation Monitoring and Reporting Program

Exhibit “A”
Conditions of Approval

EXHIBIT "A"
Precise Plan (PPL) 2024-04, Tentative Subdivision Map (TSM) 2024-05
(Tozer III Subdivision)
CONDITIONS OF APPROVAL
April 8, 2025

Notice to Applicant

Pursuant to Government Codes Section 66020(d)(1) and/or Section 66499.37, any protest related to the imposition of fees, dedications, reservations, or exactions for this project or any proceedings undertaken regarding the City's actions taken or determinations made regarding the project, including but not limited to validity of conditions of approval must occur within ninety (90) calendar days after the date of decision. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

IMPORTANT: PLEASE READ CAREFULLY

This project is subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies; those determined through plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community; and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Approval of this permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development.

Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this permit, the zoning ordinance, and all City standards and specifications. This permit is granted, and the conditions imposed, based upon the application submittal provided by the applicant, including any operational statement. The application is material to the issuance of this permit. Unless the conditions of approval specifically require operation inconsistent with the application, a new or revised permit is required if the operation of this establishment changes or becomes inconsistent with the application. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the permit or any other enforcement remedy available under the law. The City shall not assume responsibility for any deletions or omissions resulting from the review process or for additions or alterations to any construction or building plans not specifically submitted and reviewed and approved pursuant to this permit or subsequent amendments or revisions. These conditions are conditions imposed solely upon the permit as delineated herein and are not conditions imposed on the City or any third party. Likewise, imposition of conditions to ensure compliance with federal, state, or local laws and regulations does not preclude any other type of compliance enforcement.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed by the applicant to the City Council within ten (10) days after the decision by the Planning Commission. In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the City Clerk. The appeal shall state the grounds for the appeal and wherein the Commission failed to conform to the requirements of the zoning ordinance. This should include identification of the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld.

These conditions are applicable to any person or entity making use of this permit, and references to "developer" or "applicant" herein also include any applicant, property owner, owner, lessee, operator, or any other person or entity making use of this permit.

GENERAL CONDITIONS:

1. 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.
2. The applicant shall submit to the City of Madera Planning Department a check in the amount necessary to file a Notice of Determination at the Madera County Clerk. This amount shall equal the Madera County filing fee in effect at the time of filing **made payable to the Madera County and submitted to the City of Madera Planning Department no later than three (3) days following all approval actions. Applicant shall also submit to the City of Madera Planning Department a check in the amount necessary to file for the California Fish and Wildlife requirements made payable to the Madera County.**
3. TSM 2024-05 shall expire 24 months from date of issuance, unless positive action or a written request for extension has been submitted to the Planning Commission before the expiration (MMC Section 10-3.1311, Termination and Revocation).
4. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Madera Planning Department.
5. Development of the project shall conform to the plans designated by the City and subject to the conditions noted herein. Minor modifications to the approved plans necessary to meet regulatory, engineering, or similar constraints may at the discretion of the Community Development Director without an amendment. However, should the Community Development Director determine that modifications are substantive, he/she may require that an amendment be filed for review and approval through the applicable City process.
6. Deferrals are not permitted for any condition included herein, unless otherwise stated or unless approved by the City Council, through a separate deferral process.
7. All construction shall cease, and the Community Development Director and City Engineer shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction shall immediately stop and an archaeologist

that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained, at the applicant's and/or successors-in-interest's expense, to evaluate the find(s) and recommend appropriate action according to Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. If avoidance is infeasible, other appropriate measures would be instituted. Work may proceed on other parts of the project subject to direction of the archaeologist while assessment of historic resources or unique archaeological resources is being carried out.

8. All construction shall cease if any human remains are uncovered, and the Planning Manager, City Engineer and County of Madera Coroner shall be notified in accordance to Section 7050.5 of the California Health and Safety Code. If human remains are determined to be those of a Native American or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted, and the procedures outlined in CEQA Section 15064.5(e) shall be followed.
9. Approval of this application is for the benefit of the applicant. The submittal of applications by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Madera and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

PLANNING DEPARTMENT

General

10. Approval of this application shall be considered null and void in the event of failure by the applicant and/or the authorized representative to disclose and delineate all facts and information relating to the subject property and proposed uses.
11. Internal street names shall comply with the recommendations of the Planning Department with the approval of the Final Map.
12. Improvements within the limits of the map and development of dwelling units thereon shall adhere to the development standards and details identified within Precise Plan (PPL) 2024-04. Any proposed amendments to the Precise Plan shall require a revision of the Precise Plan:

Minimum Lot Area	+/- 3150 sf.
Minimum Corner Lot Area	+/- 3200 sf.
Minimum Landscape Lot <3,500 sf (front)	250 sf. (10' minimum dimension)
Minimum Open space Lot <3,500 sf (Exc. front)	500 sf.
Minimum Landscape Lot >3,500 sf (front)	300 sf. (10' minimum dimension)
Minimum Open space Lot >3,500 sf (Exc. front)	750 sf.
Minimum Side Yard Setback	5 ft.
Minimum Street Side Yard Setback	10 ft.
Minimum Rear Yard Setback	10 ft.
Minimum Front Yard Setback (Porch)	12 ft.
Minimum Front Yard Setback (living)	15 ft.
Minimum Lot Depth	70 ft.
Minimum Interior Lot Width	45 ft.
Minimum Exterior Lot Width	55 ft.
Minimum Garage Setback	18 ft.
Maximum Building Height	35 ft.
Maximum Lot Coverage	45%

- a. Where development standards are not listed, the standards within the R-1 zoning district shall take precedence.
 - b. Minor, non-substantive, revisions may be considered and approved by the Development Director. Changes to development standards shall require Commission approval. The Director reserves the right to forward any consideration for revision to the Precise Plan to the Planning Commission for consideration.
13. Approval is not an authorization to commence construction. On- and off-site improvements, building construction, sign erection or occupancy shall not be permitted without prior approval of the City through issuance of any required grading or building permits.
14. The proposed site shall be subject to periodic review and inspection by the City to determine compliance with the conditions of approval. If, at any time, the use is determined by staff to be

in violation of the conditions, the property owner and/or operator may be subject to corrective action.

15. All on- and off-site improvements shall be completed prior to final building inspection and shall be completed in conformance with proposed subdivision maps and Conditions of Approval to the satisfaction of the City of Madera prior to issuance of a certificate of completion, occupancy permit and/or issuance of a business license.
16. Vandalism and graffiti shall be corrected in accordance with the provisions of the Madera Municipal Code.
17. The property owner, operator and/or manager shall operate in a manner that does not generate excessive noise, odor, blight or vibration that is demonstrated to adversely affect-adjacent properties.
18. Prior to the issuance of building permits, the applicant shall identify on the site plan and/or elevations the following information for Planning Department review and approval. All equipment shall be screened from view.
 - a. The location of all-natural gas and electrical utility meter locations
 - b. The location of all HVAC (heating, ventilation or air conditioning) equipment
 - c. The location of all compressor equipment, and mechanical and electrical equipment

Lighting

19. The specifications and types of exterior lighting fixtures to be installed on the site shall be submitted to and approved by the Planning Department prior to issuance of building permits. All exterior lighting shall be directed away from adjoining properties and not interfere with the driving safety of vehicular traffic. Exposed bulbs will not be permitted. Lighting shall be dark sky compliant.

Landscaping

20. A landscape and irrigation plan shall be prepared by a licensed Landscape Architect and submitted as part of the submittals for a building permit. Landscape and irrigation plans shall be approved by the Planning Department prior to issuance of building permits. The plans shall comply with the following:
 - a. Demonstrate compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO);
 - b. Provide permanent automatic irrigation systems for all landscaped areas;
 - c. Provide vegetative matter coverage of a minimum of 75 percent of all landscaped areas;
 - d. Locate landscape material in such a way that it does not interfere with utilities above or below ground; and
 - e. Provide detailed planting lists for all landscaping, with the number, size, spacing (where applicable) and species of all plant life and groundcover, as well as soil preparation techniques for all landscaped areas.

- f. Integrate, to the extent feasible, low impact development practices to reduce, treat, infiltrate, and manage runoff flows caused by storms, urban runoff, and impervious surfaces.
 - g. Shrub planting shall be a minimum one (1) gallon size and include a mix of one (1) gallon and five (5) gallon shrubs.
 - h. Street and accent tree planting shall be a minimum a 15-gallon size or 24" box and shall be established after 5 years and at any point if dead or removed shall be replaced by new 15 gallon or 24" box reviewed and approved by Planning Manager.
 - i. Where landscaping is intended to provide a visual screen, the species, quantity, maturity (size), and spacing of the initial planting shall be sufficient to provide functional screening with a single growing season.
 - i. A landscaped buffer and visual screening shall be provided along the Tozer Street/Rd. 28 frontage of the Outlot to be dedicated for ponding basin purposes.
 - j. Anti-Graffiti landscaped buffers and planting shall be required at all interior end-blocks, major street entryways and adjacent to all required walls or fences that are visible and/or accessible to the public and shall be maintained in accordance with the maintenance requirements and obligations stipulated herein below.
 - k. Street trees are required on all street frontages and shall be planted at an on-center spacing of one (1) tree per 30 linear feet (or shall be planted at intervals in compliance with the specifications of the City of Madera approved street tree list).
 - l. At least one tree shall be planted within each front yard and be maintained in perpetuity. Should a tree be removed, it shall be replaced to the satisfaction of the Planning Manager and if not established within 5 years be replaced with a tree that does establish.
 - i. Trees selected from the City of Madera approved street tree list and planted in the front yard setback area within a distance of six feet of the public sidewalk may be provided in-lieu of planting within the public rights-of-way where a park strip between the curb and sidewalk is not included in the sidewalk pattern of the adjacent public street cross-section.
21. Landscaping shall be maintained in a healthy and well-manicured appearance to achieve and maintain the landscaping design that was approved by the City. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.

Fences, Hedges & Walls

22. A six (6) foot high decorative split face masonry block wall with capstone shall be constructed within the subdivision as follows:
- a. Along all the property line frontages of all lots and Outlots (i.e., ponding basin) abutting Road 28.
 - b. Along the street side yard of all corner lots intersecting a major street and extending from the rear property line subject the front yard setback line.

All walls proposed on property located in the side yard shall be six (6) feet tall along the side property line. In addition, when the wall is located with the front yard setback, the height of the wall shall be decreased to a maximum 3 feet. Where a grade differential exists, the height of any fence or wall shall be measured from the ground level on the highest side of the fence or wall. No masonry block wall shall exceed a height of six (6) feet. Any change in grade between Right of Way and Rear property line shall be absorbed within landscape strip between rear wall and sidewalk (at least 3' wide).

Provide a corner cut-off area for the block wall at all intersections, driveways and alleys where walls or fences and/or landscaping are proposed and/or required for intersection visibility. Landscaping shall be maintained at a height of less than 3 feet within the visibility triangle area and any street trees shall be pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers.

23. Any retaining wall visible from a street shall be split faced masonry block.
24. Except as provided in the above condition, six (6) foot tall wooden fencing shall be provided along all side and rear yards.
25. Street side yard fencing shall be setback no less than five (5) feet.
26. Residential fencing shall have a gate that allows for easy access by waste containers provided by the City. The width of the gate shall be a minimum of 36 inches. The path of travel between the area set aside for waste containers and driveway shall be a minimum of 36 inches and not obstructed by utilities or mechanical equipment or hardware.

BUILDING DEPARTMENT

27. At time of submittal for building permit plan check, a minimum of three (3) sets of the following plans to the Building Department is required. Plans shall be prepared by an individual licensed to practice architecture and include the following required drawings drawn to an appropriate scale:
 - a. Site plan bearing City approval or a plan incorporating all site related conditions
 - b. Grading plan prepared by an individual licensed to practice land surveying, civil engineering or architecture
 - c. Floor plans - The uses of all rooms and activity areas shall be identified on the plans
 - d. All exterior elevations
 - e. Site utilities plan showing on-site sanitary sewer, water, storm sewer, water meters, backflow prevention devices, roof drains, etc., and the connections to off-site utilities
28. Current State of California and federal accessibility requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection, and shall apply to proposed and future development.

ENGINEERING

General

66. Prior to recording of the final map, all actions necessary for the formation of a community facilities district shall have been taken, and all property included in said subdivision shall be made a part of such district and subject to its taxes.
67. A final subdivision map shall be required per Section 10-2.502 of the municipal code. 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.
68. 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.
69. 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 City Engineer shall designate the location.
70. All construction vehicles shall access the site by a route approved by the City Engineer, which will minimize 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.
71. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
72. Development impact fees shall be paid at time of building permit issuance.
73. Improvement plans sealed by an engineer shall be submitted to the Engineering Division according to the Engineering Plan Review Submittal Sheet and Civil Plan Submittal Checklist.
74. The developer shall pay all required fees for processing subdivision map and completion of project. Fees due include but shall not be limited to the following: subdivision map review and processing fee, plan review, map recording, and improvement inspection fees.
75. Improvements within the City right-of-way require an Encroachment Permit from the Engineering Division.
76. The improvement plans for the project shall include the most recent version of the City's General Notes.
77. Park land, as may be identified elsewhere in these conditions, shall be dedicated to the City in advance of, or in conjunction with, recordation of the first final subdivision map.
78. Park land for TSM 2024-05, and as may be identified elsewhere in these conditions, shall either be identified and dedicated to the City in advance of, or in conjunction with, recordation of the first final subdivision map, or the applicant shall pay a park in-lieu fee as required by the City Municipal Code.
79. In accordance with the provisions of CMC § 10-2.1302, as a condition of approval of the final subdivision map or upon issuance of a building permit, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the city, for neighborhood and community park or recreational purposes at the time and according to the standards and formula contained in this chapter.

- a. Land dedicated for purposes of satisfying the parkland area requirement stated in Policy PR-1 of the General Plan and in accordance with CMC § 10-2.1300 et seq., for purposes of compliance with California Government Code § 66477 (the “Quimby Act”), shall only include Neighborhood, Community, and Regional Parks, together with Sports Complexes and Special Use Facilities as defined in the City of Madera Parks and Recreation Plan. Pursuant to the provisions of the Parks and Recreation Master Plan, Neighborhood Parks must be at least 3 acres in area.
 - b. The developer may apply to the Engineering Department for permission to construct specified park and recreation improvements on lands dedicated for purposes of satisfying the parkland area requirement stated in Policy PR-1 of the General Plan and in accordance with CMC § 10-2.1300 et seq., for purposes of compliance with California Government Code § 66477 (the “Quimby Act”).
 - i. If the Engineering Department grants the developer permission for construction of specified parks and recreation improvements on said land, said Department shall fix the dollar value of the parks and recreation improvements prior to construction.
 - ii. The agreed dollar value of park and recreation improvements provided by the developer may be credited against any Quimby related fees that may be collected or Development Impact Program Parks Impact fees if approved separately by the City Council, subject to the availability of funds, and provided the improvements are constructed per the approved plans by the Engineering Department.
 - NOTE: Improvements shall include landscaping, irrigation, hardscape within the park interior, playground equipment and all other improvements intended purely for recreational purposes. Frontage improvements such as sidewalk, curb & gutter, streetlights, street paving, water, sewer, and storm drain are not eligible for reimbursement. In accordance the MMC 10-2.1314, the Engineering Department shall fix the dollar value of the parks and recreation improvements prior to construction.
80. In accordance with CMC § 10-2.1308, the park development impact fee, at the rate set forth by resolution of the City Council shall also be paid for park development by the developer of each new dwelling unit irrespective of whether the developer is required to dedicate land as set forth in CMC § 10-2.1304 and/or pay fees in lieu of land dedication as set forth in CMC § 10-2.1306.
81. The proposed park shall be identified as an Outlot on the Final Map and shall be dedicated to the City of Madera, in fee, for public open space (Pocket Park) purposes and shall be improved by the subdivider/developer and maintained in accordance with the Community Facilities District requirements included herein; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Madera Planning and Engineering Departments.
- a. The cost of the improvements for public Pocket Parks is not currently subject to a capital facilities fee or other programed fee and is not the subject of any current CMC provision. Notwithstanding, the costs of such improvements (excluding full street improvements and utility connections including, but not limited to, curbs, gutter, street paving, traffic control devices, street trees, and sidewalks, or fencing) may be subject to a reimbursement agreement with the City at the time of development for the Outlot(s) if a facilities fee or other programed fee for the same are subsequently approved by the City

Council. The project must obtain Council approval for any such reimbursement agreement before construction of such improvements. If approved by Council, any payment of such reimbursement shall be on a first in, first out basis, subject to the availability of funds.

82. The developer shall comply with the Federal Emergency Management Agency (FEMA) as may be applicable. Proposed improvements shall account for the areas of the TSM which lie within the boundaries of FEMA Special Flood Hazard Area, Zone AH, as may be applicable.

Water

83. Developer shall construct a new water well and all associated improvements, both on and off-site on a lot measuring a minimum of 150 feet by 150 feet, within the project site or within the vicinity of the project site.

The cost of the municipal well is considered reimbursable through the City's Development Impact Fee Program, subject to availability of funds. The well shall be completed and operation at the latest of the following:

- a. Prior to acceptance of the subdivision but in no case later than 75% of the homes being closed.
- b. Prior to closing of 50% of the homes closing

While the availability of funds cannot be predicted, approximate current fund sources can be stated. At the time these conditions were prepared, there was approximately \$771,000 available in the Water Pipe DIF. The City shall also provide credits of \$562.14 per dwelling unit. In addition, there is \$278,820.51 available from deposits made by Iveywood I and II. The City cannot at this time commit to any fund balance as some or all may be subject to reimbursement requests that may occur in advance of a request associated with this development.

84. Prior to framing construction on-site, a water system shall be designed to meet the required fire flow for the type of development planned and approved by the fire department. Fire flows shall be determined by Uniform Fire Code appendix III-A.
85. Unless the City Engineer or fire flow analysis specifies larger lines, water lines, a minimum of 8 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 installations of 18 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 are required to be hot tap type connection to existing city main. If the subdivision is constructed in phases, blow-offs will be required at each termination point. All water system bacterial analysis testing costs shall be reimbursed to the City prior to approval of any units for final occupancy. Fees shall be based on rates established by the Department of Public Works.
86. The developer shall install water supply facilities in accordance with the Water System Master Plan as follows:
- a. Road 28 – Install 12-inch main along the entire project frontage approximately from the intersection of Knox Street and Road 28 to a point 5 feet east of the most easterly property line.
 - i. The oversize component (difference in cost between constructed pipe size and 8-inch pipe) of the construction of this line is considered reimbursable through the City's Development Impact Fee Program, subject to the availability of funds.

While availability of funds cannot be predicted, approximate current fund balances can be stated. At the time these conditions were prepared, there was less than \$539,000 available in the Water Pipe DIF.

87. 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.
88. For subdivisions, water services shall be placed 3 feet from either property line, opposite of streetlight 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.
89. One water quality sampling station shall be installed within the subdivision and approved by the water quality division of the Public Works Department.
90. Prior to commencement of grading or excavation on site, all water sources used for construction activities shall have an approved back-flow device installed. All water trucks/storage tanks will be inspected for proper air gaps or back-flow prevention devices.
91. Water service connection(s) shall be shown on the improvement plans for each phase and shall be constructed to current City standards in effect at time of construction including an Automatic Meter Reading (AMR) water meter installed within the City's right-of-way. Backflow prevention devices shall be required for any water service not serving a residence and installed within private property.
92. Water connections not serving a residence shall be constructed per current City standards including water meters located in the City's right-of-way and backflow prevention device.
93. Existing wells if any shall be abandoned as directed and permitted by City of Madera for compliance with state standards.
94. Water meters shall be installed and account activated through the City's Utility Billing Department prior to construction activities commencing on individual dwelling units.

Sewer

95. The existing sewer system that serves this section of the City is approaching capacity due to constricted sections of the sewer system on Pecan Avenue. Subject to construction by another development, the developer shall design and construct the following master plan improvement prior to commencement of the last phase (first if the subdivision is constructed in one phase) of Tentative Subdivision Map 2024-05:
 - a. A parallel 18-inch sewer main in Pecan Avenue from Watt Street to Conrad Street
 - ii. The construction of the Pecan Avenue parallel sewer main is considered 100% reimbursable, subject to the availability of funds, under the City's Development Impact Fee program. While the availability of funding cannot be predicted, approximate current fund balances can be stated. At the time these conditions were prepared, there was less than \$26,000 available across three different

eligible funding sources; ESA, SW and SE Sewer DIF. Of note, there are other projects that are expected to be placed in queue for payment from these same sources. In addition, the City shall provide credits of \$135.14 per dwelling unit based on the location of the subdivision within the Existing Service Area.

96. Sewer lines installed to serve this subdivision shall be sized accordingly and shall be a minimum of 8 inches in diameter. Sewer main connections to any existing city main 6 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 sub-divider.
97. Sewer services shall be located at the approximate centerline of each lot or as required for construction of residential development with a clean-out installed per City Standards and identified on the curb face. Termination of service shall be 10 feet past property line. Where contiguous sidewalks are installed, the 4-inch-sewer clean out shall be located 18 inches back of sidewalk in a dedicated public utility easement. Sewer clean-outs shall not be located within sidewalk or approach areas unless approved by the City Engineer. Sewer services shall be installed 10 feet beyond the property lines as a part of the sewer system installation for testing purposes.
98. The developer shall reimburse its fair share cost to the City for the previously constructed sewer main along the entire project frontage on Road 28.
99. Existing septic tanks, if found, shall be removed, permitted, and inspected by City of Madera Building Department.

Storm Drain

100. Storm runoff from this project site is planned to go to the basin labeled as P27 in the 2014 Storm Drainage Master Plan located northwest of the proposed project site. This is also consistent with that which is illustrated in the 1997 Storm Drainage Master Plan. The location of the future basin as shown in the Storm Drainage System Master Plan (Storm Master Plan) is conceptual only. The developer shall, as may be necessary, construct the basin along with other sufficient facilities in accordance with criteria in the Storm Master Plan and City standard drawings, as may be applicable, to convey and hold storm runoff. The ultimate basin size shall correspond to the master plan requirement or greater depending on adjustments that may be required based on actual location. Perimeter fence and outlet shall be constructed at ultimate location and depth, respectively. Initial capacity of basin shall, at a minimum, correspond to that required for the project.

While availability of funding cannot be predicted, approximate current fund balances can be stated. At the time these conditions were prepared, there was \$2,000,000 available in the ESA Storm Drainage DIF.

101. A detailed drainage study shall be provided that supports the design of the drainage conveyance and storage facilities constructed by the developer. Developer shall excavate the basin referenced in a subsequent condition to accommodate runoff from the proposed project site.
102. This project shall, as applicable, 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. CAS000004. For the purpose of this proposed development, post

development runoff shall match or be less than pre-development runoff. The development shall enter into a covenant with the City that allows for future inspections by City or other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition.

Streets

103. The developer shall adhere to the recommendations of the traffic study dated January 7, 2025 or as may be modified based on the City's review letter dated March 5, 2025. Specifically, the developer shall:

- a. Address sight distance requirements
- b. Provide safe paths to schools based on a subsequent evaluation
- c. Implement left-turn and right-turn lane storage lengths as indicated in the Queuing Analysis.
- d. The study seems to recommend traffic signals at two locations. The study should consider installation at a single intersection, Avenue 13 and Tozer, based on comments provided by the City in the review letter.
- e. Provide Class II Bikeways along project frontage as recommended subject to the ability to incorporate into design. Formal sign postings in addition to the striping alone may not be justified.
- f. Provide fair share participation for the additional lanes outside the normal cross section at Road 29 and Avenue 12 (i.e. second left turn lanes or exclusive rights) based on the 2046 Cumulative Year

104. The developer shall be a proponent of annexing into existing Landscape Maintenance District (LMD) Zone 43A. If the annexation into LMD Zone 43A is not attainable, the developer shall at their sole expense, form a new Landscape Maintenance District zone. The sub-divider shall sign and submit a landscape district formation and inclusion form, an engineer's report and map prior to recording of any final map.

105. Prior to the approval of any final maps, the developer shall submit a cash deposit in an amount sufficient to maintain lighting and landscaping within the required LMD Zone 43A 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 improvement which are required to be constructed by the developer and included in the City-wide 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 needed by the Parks Department for maintenance of eligible landscaping shall be refunded to the developer.

106. The east half of Road 28 along the entire project frontage shall be improved to a 100-foot arterial roadway standard. The east half of the street shall include but not be limited to fire hydrants, streetlights, curb and gutter, park strip, sidewalk and a 30-foot paved asphalt section and 16-foot landscaped median island. The west half of the street shall include, but not be limited to, one permanently paved 12-foot travel lane, a paved 8-foot shoulder and drainage swale (shoulder requirement per Air District Standards); or one 12-foot travel lane and a combination of

shoulder/AC dike and drain inlets as may be necessary to accommodate existing and completed project storm runoff.

The center three lanes (40-feet total), which includes the median island, are eligible for reimbursement through the City's Development Impact Fee program, subject to the availability of funds. While availability of funding cannot be predicted, approximate current fund balances can be stated. At the time these conditions were prepared, there was \$1,800,000 available in the Arterial/Collector DIF and \$250,000 available in the Median Island DIF.

107. An Offer of Dedication shall be made to dedicate sufficient right-of-way along the entirety of the project parcel's frontage on Road 28 to provide half a street width of fifty (50) feet east of the center line to accommodate an arterial standard roadway.
108. adhere to the traffic study comments submitted by Caltrans.
109. As part of the Safe Routes to Schools initiative, the developer shall install paved walkways (separate from the paved travel way), roadway crossings, and other mitigations as recommended in the Traffic Impact Analysis prepared by JLB Traffic Engineering.
110. The developer shall dedicate a 10-foot Public Utility Easement (PUE) along all internal publicly dedicated streets.
111. Interior streets shall be constructed in accordance with City standards for a residential street including a five-foot sidewalk, curb and gutter (no wedge curb), streetlights, fire hydrants and all other components necessary to complete constructions per City standards.
112. An approved on-site or off-site turn-around shall be provided at the end of each stub-out or roadway 150 feet or more in length pursuant to the uniform fire code. Cul-de-sacs shall be no longer than 450 feet. Any off-site turn-around shall have a maintenance covenant and easement recorded prior to recording of final map. The developer is responsible for all fees associated with the approval of all documents.
113. "No Parking" signs shall be installed along the Road 28 frontage per City standards.
114. Traffic calming features, as approved by the City Engineer, shall be implemented throughout the interior subdivision streets. Maximum distance between calming devices shall be 300 feet. Any increase in separation shall be approved by the City Engineer. Speed bumps or humps are not permitted.

If bulbouts are used as a traffic calming feature, they shall be designed in such a way that they limit the loss of parking.
115. Landscaping and irrigation systems shall be installed in accordance with the approved landscaping and irrigation plans before the final building inspection of any adjacent residential units.
116. Access ramps shall be installed at all curb returns per current City standards.
117. Driveway approaches shall be constructed per current City standards.
118. The developer shall be required to install streetlights along Road 28 frontage (both east and west sides) and 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.

119. 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 front door to 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 a 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.
120. If developed in phases, each phase shall have two (2) points of vehicular access within a recorded easement for fire and other emergency equipment and for routes of escape which will safely handle evacuations as required by emergency services personnel. An all-weather access road shall be two inches of type "B" asphalt over 6 inches of 90% compacted native soil or 4 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 recording the final map for any phased development.
121. 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" x 36" tracing with city of Madera logo on bottom right corner. The cover sheet shall indicate the total lineal feet of all streets, fire hydrant and street water main lineal feet, and sewer line lineal feet, a list of items 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, updated standards available on the City of Madera website. The plans are to include the city of Madera title block and following:
- a. Detailed site plan with general notes, including the location of any existing wells and septic tanks;
 - b. Street plans and profiles;
 - i. Drainage ditches, culverts, and other structures (drainage calculations to be submitted with the improvement plans)
 - ii. Streetlights
 - iii. Traffic signals
 - iv. Construction details including traffic signage and 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 shall be prepared by a landscape architect or engineer.
 - f. Storm water pollution control plan and permit.
 - g. Itemized quantities of the off-site improvements to be dedicated to the City.
122. Submittals shall include digital copies of the following items:
- a. Engineering Plan Review Submittal Sheet
 - b. Civil Plan Submittal Checklist – all required items shall be included on the drawings

- c. Final map
- d. Traverse calculations
- e. Preliminary title report
- f. Signed copies of conditions
- g. Complete improvements plans
- h. Landscaping plans
- i. Drainage calculations
- j. Engineers estimate

Partial submittals will not be accepted by the engineering department.

123. 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, then all trenches shall be back-filled with a 3-sack sand slurry mix extending one-foot past curb and gutter in each direction.
124. The applicant shall coordinate with the pertinent utility companies as required regarding establishment of appropriate easements and under-grounding of service lines. A ten-foot-public utility easement will be required along all interior lot frontages.
125. All public utilities shall be underground, except transformers, which may be mounted on pads. Public utility easements shall be dedicated outside and adjacent to all streets 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. Undergrounding of utilities shall not result in the addition of new poles being installed on other properties or street frontages.
126. A preliminary title report and plan check fees along with the engineer's estimated cost of installing the subdivisions improvements shall be submitted with the initial improvement plan submittal. Inspection fees shall be paid prior to initiating construction.
127. 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 must 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 who prepared the report are to be noted on the final map.
128. The sub-divider shall enter an Improvement Agreement in accordance with the municipal code prior to recording of the final map. The subdivision agreement shall include for deposit with the City a performance bond, labor, material bond, cash bond, or other bonds as required by the City Engineer, prior to acceptance of the final map.
129. Sub-divider may commence off site construction prior to approval of the final map in accordance with Section 7-2.02 MMC, an encroachment permit, providing improvement plans are approved and submitting 100% performance bond, additional bond (50% labor & 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 shall be per City of Madera Development Application Fees as approved by City Council and shall be paid at the time of permit.

130. The developer's engineer, upon completion of subdivision related improvements, shall certify to the City Engineer that the improvements are made in accordance with city requirements and the approved plans. As-built plans showing 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.

Subdivision improvement inspections:

131. 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.
132. 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.
133. 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 will verify prior to inspection that the contractor requesting inspection is using plans signed by the City Engineer.
134. 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 final improvement inspection, the generation of a written punch list will require a minimum of five working days.

Special engineering conditions:

135. 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 therefore.
136. Lot fill in excess of 12 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 12 inches or more will require construction of a retaining wall.
137. Retaining walls, if required, shall be 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.
138. 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.
139. Any construction work on MID facilities must not interfere with either irrigation or storm water flows, or MID operations. Prior to any encroachment upon, removal or modification of MID facilities, the sub-divider must submit two sets of preliminary plans for MID approval. Permits must 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 will require removal of MID facilities at the owners' expense. Turnouts and gates shall be salvaged and returned to the MID yard.
140. Prior to recording 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 must be paid in full. Assessments are due and payable in full November first of the year preceding the assessment year.

141. The developer of the property can expect to pay current and future development impact fees, including, but not limited to sewer (special service area), water, streets, bridge, public works, parks, public safety and drainage, that are in place at the time building permits are issued.
142. Final street names shall be approved by the Planning Department prior to recording the map for each phase of the development or approval of the improvement plans. Road names matching existing county roads must maintain the current suffix. All streets, even the small segments, shall have street names on the final map. Entry streets, cul-de-sacs and courts should utilize the name of the nearest subdivision street.
143. 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 item, all adjacent sidewalks shall retain a minimum clear walkway width of five feet.

FIRE DEPARTMENT

144. Fire sprinklers may be required based upon the occupancy classification.
145. A fire alarm system may be required based upon the occupancy classification. The Fire Department shall be counteracted prior to construction to confirm applicability.
146. New street hydrants shall be required. The location of any new hydrants required by the Fire Department shall be approved prior to construction.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

147. The applicant, property owner and/or successors-in-interest shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
148. Applicant, property owner and/or successors-in-interest shall submit to, and have approved by, the SJVAPCD an Authority to Construct (ATC) application prior to issuance of a grading or building permit. Copy of an approved ATC shall be submitted to the Planning and Building Departments prior to issuance of a grading or building permit.
149. Applicant, property owner and/or successors-in-interest shall submit to, and have approved by, the SJVAPCD an Air Impact Assessment (AIA) application prior to issuance of a grading or building permit. Copy of an approved AIA shall be submitted to the Planning and Building Departments prior to issuance of a grading or building permit.
150. Applicant, property owner and/or successors-in-interest shall submit to, and have approved by, the SJVAPCD A "Dust Control Plan" prior to issuance of a grading or building permit. Copy of an approved Dust Control Plan shall be submitted to the Planning and Building Departments prior to issuance of a grading or building permit.

END OF CONDITIONS

Exhibit “B”

TSM 2024-05

A VESTING MAP
A SINGLE-FAMILY RESIDENTIAL SUBDIVISION
IN THE CITY OF MADERA,
MADERA COUNTY, CALIFORNIA

LEGAL DESCRIPTION

ALL OF LOT 26 AND ALL OF FRACTIONAL LOT 25 LYING NORTH AND EAST OF THE SOUTHERN PACIFIC RAILROAD COMPANY RIGHT OF WAY, ALL IN SECTION 29, TOWNSHIP 11 SOUTH, RANGE 18 EAST, MOUNT DIABLO BASE AND MERIDIAN OF LANKERSHIM COLONY, ACCORDING TO THE MAP THEREOF RECORDED FEBURARY 5, 1889 IN BOOK 4 PAGE 31 OF MAPS, MADERA COUNTY RECORDS.

EXCEPTING THEREFROM THOSE PORTIONS OF LOTS 25 AND 28 OF LAKERSHIM COLONY, AS DESCRIBED IN THAT CERTAIN HIGHWAY EASEMENT DEED TO THE STATE OF CALIFORNIA, DATED JUNE 20, 1951 AND RECORDED AUGUST 3, 1951 IN BOOK 525 PAGE 452 OFFICIAL RECORDS OF MADERA COUNTY.

ALSO EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN THAT CERTAIN LIS PENDENS RECORDED ON SEPTEMBER 11, 1964 IN BOOK 913 PAGE 40, AS DOCUMENT NO. 11787, OFFICIAL RECORDS, IN CONNECTION WITH ACTION NO. 13866 OF THE SUPERIOR COURT, MADERA COUNTY, CALIFORNIA.

AND ALSO EXCEPTING THEREFROM THE PROPERTY AS DESCRIBED IN THAT CERTAIN GRANT DEED TO THE STATE OF CALIFORNIA, RECORDED MAY 22, 1967 IN BOOK 987 PAGE 168, MADERA COUNTY RECORDS.

1. STREETS - CITY OF MADERA STANDARDS
2. WATER - CITY OF MADERA STANDARDS
3. SEWER - CITY OF MADERA STANDARDS
4. CURB & GUTTER - CITY OF MADERA STANDARDS
5. MASONRY BLOCK WALL - CITY OF MADERA STANDARDS
6. 6' WOOD FENCE - CEDAR INCENSE
7. SIDEWALK - CITY OF MADERA STANDARDS
8. DRAINAGE - CITY OF MADERA STANDARDS
9. STREET LIGHTS - CITY OF DINUBA STANDARDS
10. GAS & ELECTRICITY - PACIFIC GAS & ELECTRIC
11. TELEPHONE - AT&T
12. CABLEVISION - COMCAST

APN: 011-370-005-000
13251 ROAD 28, MADERA, CA. 93638

- - -	EXISTING PROPERTY LINE
- . -	PROPOSED PROPERTY LINE
- - -	PROPOSED PUBLIC UTILITY EASEMENT
- - -	PROPOSED LANDSCAPE SEAMLESS
- . -	LIMITS OF THE SUBDIVISION
- . -	EXISTING STORM DRAIN
- - -	EXISTING SANITARY SEWER
- - -	EXISTING WATER MAIN
- - -	PROPOSED SANITARY SEWER
- - -	PROPOSED WATER MAIN
- - -	PROPOSED STORM DRAIN
- - -	PROPOSED IRRIGATION
- - -	PROPOSED LANDSCAPE SLEEVE
- - -	PROPOSED SAWCUT
- . -	APPROXIMATE CITY LIMITS LOCATION
(Diagram)	PROPOSED SIDEWALK
- - -	PROPOSED CURB AND GUTTER
- - -	EXISTING EDGE OF PAVEMENT
- - -	EXISTING CURB AND GUTTER
	INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS
⊙	EXISTING SANITARY SEWER MANHOLE
⊕	EXISTING STORM DRAIN MANHOLE
⦶	EXISTING POWER POLE
○-T-	EXISTING STANDPIPE
▽	EXISTING IRRIGATION VALVE
o w v	EXISTING WATER VALVE
△	EXISTING FIRE HYDRANT
●-*	EXISTING STREETLIGHT
▲	PROPOSED FIRE HYDRANT
o w v	PROPOSED WATER VALVE
⊕	PROPOSED STORM DRAIN INLET
--v--	INDICATES STORM WATER FLOW DIRECTION
⊕	PROPOSED STORM DRAIN MANHOLE
⊙	PROPOSED SANITARY SEWER MANHOLE
○-*	PROPOSED STREETLIGHT
(Tree Symbol)	EXISTING TREES TO BE REMOVED

SITE:
NUMBER OF LOTS - 168
MINIMUM LOT SIZE - 3,150 SF
MAXIMUM LOT SIZE - 7,276 SF
AVERAGE LOT SIZE - 3,541 SF

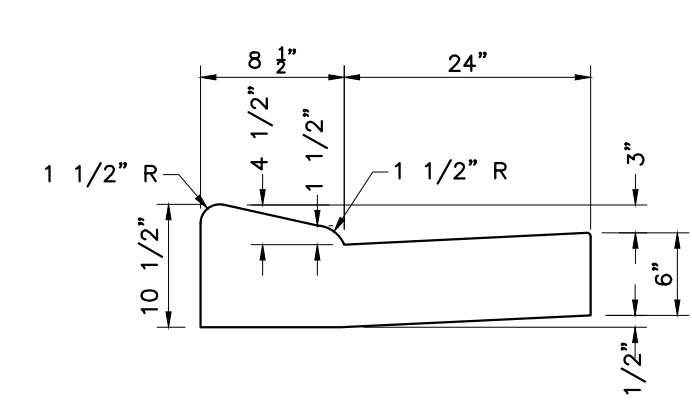


Diagram illustrating the cross-section of an interior street. The total width is 25'. The roadway width is 18', with 7' shoulders on each side. The curb and gutter width is 4'-9.5" (MAX.). The sidewalk width is 1.5' (MIN.). The pavement structure consists of 2.5" ASPHALTIC CONCRETE, 5.5" AGGREGATE BASE, and 6" C.N.S. TO 95%.

Labels and dimensions include:

- 25' (Total width)
- 18' (Roadway width)
- 7' (Shoulder width)
- 4'-9.5" (MAX.) (Curb and gutter width)
- 1.5' (MIN.) (Sidewalk width)
- 2% MAX. (Curb and gutter slope)
- 2% MIN. (Roadway slope)
- 2.5" ASPHALTIC CONCRETE
- 5.5" AGGREGATE BASE
- 6" C.N.S. TO 95%

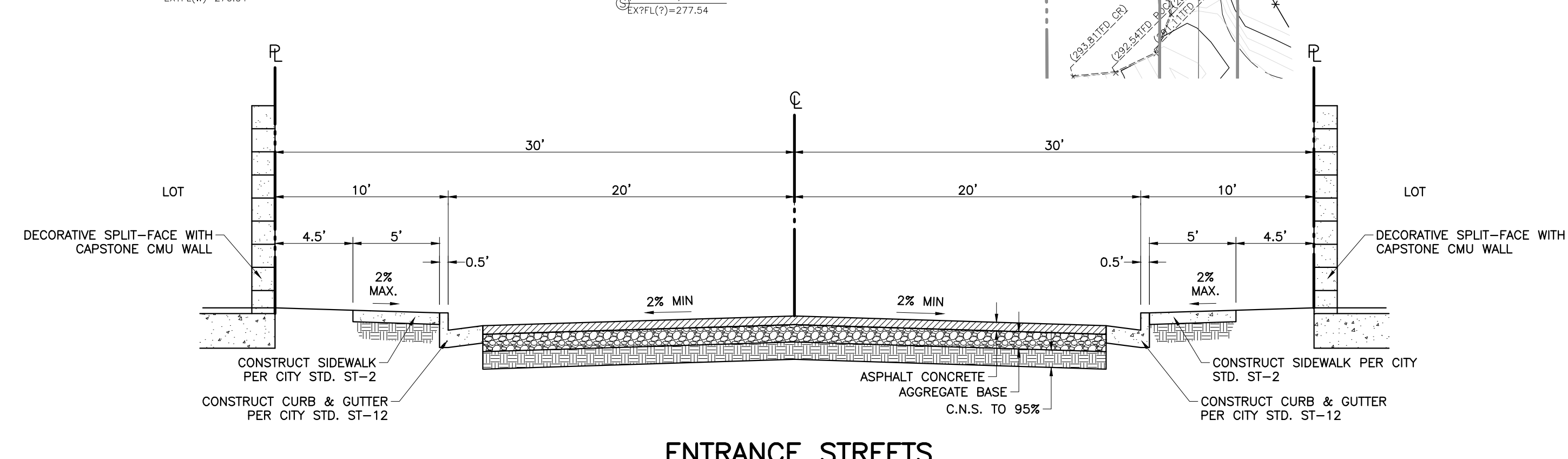
Instructions:

- CONSTRUCT SIDEWALK AND CURB & GUTTER PER CITY STD. ST-2 (TYP.)
- CONSTRUCT CONCRETE MODIFIED/WEDGE CURB PER DETAIL ON THIS SHEET
- CONSTRUCT SIDEWALK AND CURB & GUTTER PER CITY STD. ST-2 (TYP.)
- CONSTRUCT CONCRETE MODIFIED/WEDGE CURB PER DETAIL ON THIS SHEET

INTERIOR STREETS

INTERIOR STREETS
NOT TO SCALE

ENTRANCE STREETS



VICINITY MAP
NOT TO SCALE

SUBDIVIDER:

JOSEPH CROWN CONSTRUCTION
AND DEVELOPMENT, INC.
5320 E. PINE AVE.
FRESNO, CA 93727



PREPARED BY:

JOSE LEMUS, RCE NO. 80458

PREPARED: 06/24/2024

LANDDESIGN
CONSULTING
"Building a World!"

DRAWING: S:\2024\LDC24001\Entitlements\ITM.dwg;Layout1 - LDC-Civil.ctb
 PLOT BY: cstr lun 24 2024 - 9:20am

Exhibit “C”

Mitigation Monitoring and Reporting Program

Chapter 5 Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Pecan Tozer Residential Project (Project) near the eastern City limit boundary. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 5-1 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 5-1** identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by City to ensure that individual mitigation measures have been complied with and monitored.

Table 5-1 Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Air Quality					
<p>Mitigation Measure AIR-1</p> <p>Consistent with San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII (Fugitive PM10 Prohibitions), the following controls are required to be included as specifications for the proposed Project and implemented at the construction site:</p> <ul style="list-style-type: none"> • All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant or covered with a tarp or other suitable cover or vegetative ground cover. • All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or 	Prior to and during construction activities.	Continuous during construction activities	Applicant / Project Contractor	City Planning and Building Departments shall verify that specifications are being met.	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>chemical stabilizer/suppressant.</p> <ul style="list-style-type: none"> • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. • When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 6 inches of freeboard space from the top of the container shall be maintained. • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust 					

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>emissions. Use of blower devices is expressly forbidden.)</p> <ul style="list-style-type: none"> Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/ suppressant. 					
<p>Mitigation Measure AIR-2</p> <p>All construction equipment over 50 horsepower (hp) used during construction of the project shall be equipped with at least Tier 2 engines with Level 3 Diesel Particulate Filters (DPF) or the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by the California Air Resources Board. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications. Prior to issuance of building permits, the project Applicant shall submit</p>	<p>During construction permitting process.</p>	<p>Once</p>	<p>Applicant / Project Contractor</p>	<p>City Planning and Building Departments shall verify that specifications are on plans during plan check.</p>	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
construction plans to the City of Madera denoting the projected equipment Tier rating that will be used during the construction period.					
Biological Resources					
<p>Mitigation Measure BIO-1:</p> <p>To the extent practicable, construction shall be scheduled to avoid the Swainson's hawk nesting season, which extends from March through August.</p> <p>If it is not possible to schedule construction between September and February, a qualified biologist shall conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (SWTAC 2000, Appendix D). These methods require six surveys, three in each of the two survey periods, prior to project initiation. Surveys shall be</p>	Prior to construction activities.	Once	Applicant / Project Contractor	<p>Applicant / project contractor shall submit preconstruction survey documentation of compliance to the City prior to issuance of grading or building permits if construction is scheduled during the nesting season.</p> <p>City Planning and Building Departments shall verify preconstruction survey documentation is complete prior to issuance of grading or building permit.</p> <p>City Planning Department to field verify prior to commencement of any</p>	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>conducted within a minimum 0.5-mile radius around the Project site.</p> <p>If an active Swainson's hawk nest is found within 0.5 miles of the Project site, and the qualified biologist determines that Project activities would disrupt the nesting birds, a construction-free buffer or limited operating period shall be implemented in consultation with the CDFW.</p>				<p>project related grading or construction activities as applicable survey specifications are implemented.</p>	
<p>Mitigation Measure BIO-2:</p> <p>To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August.</p> <p>If it is not possible to schedule construction between September and January, pre-construction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no active nests will be disturbed during the implementation of the Project. A pre-construction survey shall</p>	<p>Prior to construction activities.</p>	<p>Once</p>	<p>Applicant / Project Contractor</p>	<p>Applicant / project contractor shall submit preconstruction survey documentation of compliance to the City prior to issuance of grading or building permits if construction is scheduled during the nesting season.</p> <p>City Planning and Building Departments shall verify preconstruction survey documentation is complete prior to issuance of grading or building permit.</p>	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.				City Planning Department to field verify prior to commencement of any project related grading or construction activities as applicable survey specifications are implemented.	
Cultural Resources/Geology and Soils					
Mitigation Measure CUL-1:	Prior to and during construction.	Ongoing.	Applicant / Project Contractor	Applicant / project contractor shall submit documentation of compliance to the City	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>The following shall be implemented:</p> <p>Before initiation of construction or ground-disturbing activities associated with the Project, the City shall require all construction personnel to be alerted to the possibility of buried cultural resources, including historic, archeological and paleontological resources;</p> <p>The general contractor and its supervisory staff shall be responsible for monitoring the construction Project for disturbance of cultural resources; and</p> <p>If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash</p>				<p>prior to issuance of grading or building permits.</p> <p>City Planning and Building Departments shall verify preconstruction survey documentation is complete prior to issuance of grading or building permit.</p> <p>City Planning Department to field verify prior to commencement of any project related grading or construction activities as applicable survey specifications are implemented.</p>	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
deposits are encountered during subsurface construction activities (i.e., trenching, grading), all construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure, as outlined in Public Resources Code section 21083.2. City of					

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Madera shall implement said measures.					
Mitigation Measure CUL-2: City of Madera will incorporate into the construction contract(s) a provision that in the event a fossil or fossil formations are discovered during any subsurface construction activities for the proposed Project (i.e., trenching, grading), all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at City of Madera, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to	Prior to and during construction.	Ongoing.	Applicant / Project Contractor	City will incorporate into construction contract.	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
be significant under CEQA, the City shall implement those measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.					