

GENERAL PLAN COMMENT MATRIX

MADERA GENERAL PLAN UPDATE RESPONSES TO COMMENTS FROM PUBLIC AGENCIES AND THE PUBLIC AUGUST 14, 2009

The following public agencies (designated with letters A-K) and individuals (numbers 1-5) submitted comments on the proposed General Plan Update. The follow matrix provides a summary of each comment and the City's response, which may include changes to the April 2009 version of the General Plan. Unless modified by the Planning Commission, the revisions to the General Plan shown below will be considered to be part of the updated General Plan that is presented to the City Council for adoption.

Letter	Individual or Signatory	Affiliation	Date
A	Sandy Hesnard	California Department of Transportation, Division of Aeronautics	March 4, 2009
B	Peter Cross	U.S. Department of the Interior, Fish & Wildlife Service	No date listed; received June 11, 2009
C	Michael Navarro	California Department of Transportation, District 6	June 22, 2009
D	Dave Herb	Madera Local Agency Formation Commission	June 23, 2009
E	Scott Harmstead	Madera County Resource Management Agency Planning Department	No date listed; received June 29, 2009
F	Ray Beach	Madera County Resource Management Agency	June 29, 2009
G	Chung-te "Dick" Tzou	Madera Irrigation District	June 29, 2009
H	Moses Stites	State of California Public Utilities Commission	June 29, 2009
I	Dave Warner	San Joaquin Valley Air Pollution Control District	June 26, 2009
J	Lucinda Roth	San Joaquin Valley Air Pollution Control District	June 22, 2009
K	Cathy Creswell	State of California Department of Housing and Community Development	May 28, 2009

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Letter	Individual or Signatory	Affiliation	Date
1	Richard Harriman	Law Offices of Richard L. Harriman on behalf of Valley Advocates	June 29, 2009
2	Steve Weil	Horizon Enterprises	February 2, 2009
3	Robert Poythress	No affiliation listed	May 31, 2009
4	Jerry Brown	Chowchilla Tribe of Yokuts	No date listed; received August 3, 2009
5	Morris Reid, Dora Jones, Mark Emerick, Patrick Hammond III, Janice Devine, Sam Lawhon, Harold Hammond Sr.	Picayune Rancheria of the Chukchansi Indians	July 30, 2009

Complete copies of the comment letters, with annotations to show the comment numbers, are attached following this Matrix.

Note to the Reader: This Matrix includes only comments on the Draft Madera General Plan Update. A separate response matrix has been prepared for comments on the General Plan's accompanying Draft Environmental Impact Report (EIR). If a comment is not included in the table below, please see the separate Draft EIR Comment Matrix.

Note about Numbers: Goal, Policy, and Action Item numbers in this matrix reference numbers as shown in the Public Hearing Draft General Plan. The numbering of some items may change in the final General Plan to adjust for goals, policies, or actions which have been added, removed, or moved.

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Comment Letter A - Sandy Hesnard, California Department of Transportation, Division of Aeronautics, March 4, 2009				
<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments</i>				
Comment Letter B - Peter Cross, U.S. Department of the Interior, Fish & Wildlife Service, No date listed. Received June 11, 2009				
Fish & Wildlife Service	B-1	Due to the volume and diversity of projected habitat types and listed species impacts that could potentially occur within the boundaries of the proposed General Plan update area, the Service strongly encourages the City to implement a Habitat Conservation Plan (HCP). The purpose of the HCP process and issuance of an incidental take permit, Section I O(a)(l)(B), is to develop a conservation plan that will allow the Service to authorize the incidental take of federally-listed threatened and/or endangered species. This process is intended to provide a framework that encourages partnerships between the public and private sectors, state, municipal and other Federal agencies in the interests of endangered and threatened species and habitat conservation. The HCP Assurances (“No Surprises”) Rule, effective March 25, 1998, provides coverage for		The City agrees that the concept of creating an HCP has considerable merit, although preparation of such a plan is not proposed at this time. The City remains open to the idea of sponsoring or participating in an HCP, and looks forward to further discussions with the Fish and Wildlife Service on this topic.

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		candidate species, proposed species, and other species not listed, under the Act at the time an HCP is developed. An HCP will eliminate the fragmented and piece-meal approach for permitting species impacts and compensation and instead will provide a streamlined approach to both permitting and securing adequate compensation for the species.		
Comment Letter C - Michael Navarro, California Department of Transportation, District 6, June 22, 2009				
Caltrans District 6	C-1	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-2	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-3	The Road 29 realignment at Avenue 12 as shown in Figure 3.0-5 is not consistent with the Community College Specific Plan as shown in Figure 5 (copy enclosed) of the Southeast Madera Development Project. Road 29 as shown in the proposed General Plan update is too close to the SR 99 northbound off-ramp at Avenue 12. Road 29 will need to be realigned to the east farther from	Please see the revised Circulation Map (attached to this Matrix), which includes a number of corrections to the planned roadway system.	

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		the northbound off-ramp intersection. Furthermore, it is recommended that Road 29 remain a T-intersection.		
Caltrans District 6	C-4	Road 23 on Avenue 18 1/2 opposite the SR 99 southbound off-ramp will need to be realigned to the west. Pistachio Drive may need to have its movements restricted to rights in, rights out and possibly an eastbound left in movement. The eastbound left in movement will need to be monitored. If it is later determined that this movement is unsafe or is creating operational concerns, it will need to be eliminated. This should be included in this General Plan update.	The following Action Item has been added to the Circulation and Infrastructure Element: “Action Item CI-9.1: Review proposed development projects with Caltrans to facilitate the acquisition of right of way for ultimate improvements and to avoid and/or minimize potential traffic conflicts between State facilities, city streets, and private drives.”	The General Plan does not include details on intersection or interchange designs, but the City will coordinate with Caltrans at the time that a specific design for this location is prepared, and whenever development projects are proposed in the vicinity.
Caltrans District 6	C-5	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-6	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-7	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-8	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		

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Caltrans District 6	C-9	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-10	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-11	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-12	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-13	<p>Consideration should be given to the realignment of SR 145 with a tie-in at Avenue 17 as part of by-passing the Madera Central Business District. This concept has not been modeled. The concept warrants a minimum six-lane expressway outside the operational limits of the interchange and possibly an 8 lane expressway as part of the beltway loop. Right-of-way preservation for an 8 lane, high speed, limited access facility would be recommended. If land use in the area is not compatible, then the City needs to consider a series of improvements to address the dysfunctional State Highway-local grid system that exists as a result of the highway following the</p>		<p>Circulation Element Policy CI-3 (see page 4-13 of the Public Review Draft General Plan) defines "Freeway" as "... up to eight lanes (four lanes in each direction)."</p> <p>In addition, the following Circulation Element policies provide guidance on this issue:</p> <ul style="list-style-type: none"> • Policy CI-9 (page 4-18 of the Public Review Draft General Plan) provides that, "The City will work cooperatively with Caltrans to implement improvements to the state highway system in Madera." • Policy CI-43 (page 4-30) and its

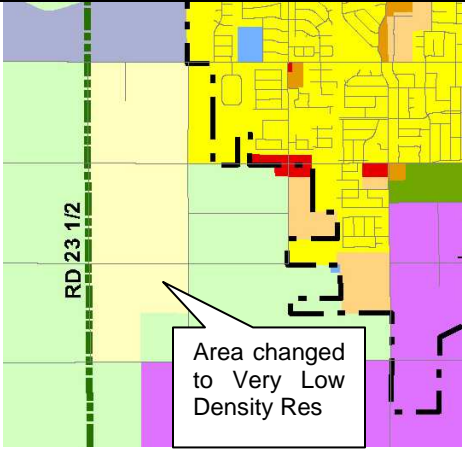
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		railroad and a narrow, older street grid.		<p>associated Action Items (CI-43.1 and CI-43.2) state the City's desire to have Hwy 145 "function as a component of the traditional City street system" and to work cooperatively with Caltrans on issues related to the state highway.</p> <p>Because these policies address the issues raised in this comment, no changes to the General Plan are necessary.</p>
Caltrans District 6	C-14	For Action Item CI-32.1, please note that the proposed narrow travel lane width may not apply to State highways.	<p>Action Item CI-32.1 should be revised as follows:</p> <p>"Action Item CI-32.1: Develop Complete Street" standards for new arterial, collector, and local street construction. "Complete street" standards should include options for narrower travel way widths (on existing streets only, where needed to fit all uses into the existing right of way) and curb return radii, bike lanes, landscape strips, sidewalks that complement adjacent land uses, bus turnouts, and similar features. <i>Note: Proposed narrower travel way widths may not apply to State Highways.</i>"</p>	

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			[underline added to show revised text]	
Caltrans District 6	C-15	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-16	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-17	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Caltrans District 6	C-18	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Comment Letter D - Dave Herb, Madera Local Agency Formation Commission, June 23, 2009				
Madera LAFCO	D-1	<p>1. The proposed land use plan, as shown in Figure LU-2, indicates that the area adjacent to the existing agricultural easements located to the southwest of the city as Low Density Residential. Staff believes that surrounding these easements with urban land use designations could nullify the purpose for which the easements were established. This problem could be rectified by deleting the residential designation for the +/- 320 acres immediately to the west of the land conservation contracts.</p>	<p>The Land Use Map has been revised to address this comment. Please see the updated Land Use Map, which is included as an attachment to this Matrix. The land use designation for this area has been changed from Low Density Residential to Very Low Density Residential.</p> <p>An excerpt of the Land Use Map (as modified) is shown below.</p>	<p>As noted, the land use designation for the area discussed in this comment has been changed to Very Low Density. This designation matches the existing pattern of development and parcelization in this area, and would not facilitate significant additional development that could be in conflict with the agricultural easement area.</p> <p>It should also be noted that the Village-specific policies for Village E (pages 8-49 and 8-50 address this issue and limit parcel sizes to a minimum of five acres.</p>

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			 <p>The map displays various colored zones representing different land use designations. A callout box with a white background and black border points to a specific area, stating 'Area changed to Very Low Density Res'. A vertical dashed line on the left side of the map is labeled 'RD 23 1/2'.</p>	
Madera LAFCO	D-2	<p>2. Strict interpretation of proposed policies LU-14 and LU-15 could result in creating impediments to the annexation of several disadvantaged neighborhoods. As such, LAFCO would encourage the City to adopt policies which would investigate creative methods of rectifying infrastructure deficiencies without creating impediments to extending municipal services to disadvantaged neighborhoods.</p>		<p>Comment noted. Proposed policies in the updated General Plan (including policies LU-13, LU-14, and LU-15) are specific to property to be annexed "for the purpose of new development" and would not apply to or preclude the annexation of the areas noted in this comment.</p>
<p>Comment Letter E - Scott Harmstead, Madera County Resource Management Agency Planning Department, No date listed. Received June 29, 2009</p>				

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County of Madera	E-1	1. Page 3-14, Policy CD-9, Both Villages E and D as proposed would not keep surrounding prime agricultural lands (located to the west) in use.	To better reflect the Land Use Map, Policy CD-9 is revised as follows: "Policy CD-9: Maintain Madera's identity and sense of community by keeping <u>lands</u> surrounding lands <u>the growth boundary</u> in agricultural use." [strikeout/underline added to show edits]	
County of Madera	E-2	2. Page 3-15, Policy CD-12, Indicated that the City of Madera will use fountains to enliven the public realm. Madera County strongly encourages the use of statues, sculptures, and monuments to enhance the public realm, however we would suggest the City of Madera refrain from identifying fountains within this policy due to the continual drawdown of the aquifer in the region.		Comment noted. Fountains are listed only in terms of one suggested type of public amenity, not as a required element. The City also notes that fountains typically recirculate water, and do not result in significant water use. Finally, the City notes that fountains can be part of an energy-conserving cooling system and are worthy of consideration as part of an energy conservation strategy consistent with proposed Goal CON-14 (Green Building) and Policy CON-37 (Energy Conservation)
County of Madera	E-3	1. Page 3-26, Policy CD-44, Madera County would like to see an Action Item discussed for the Policy to inform the public how the City of Madera is		Policies in the Circulation & Infrastructure and Land Use elements address the issue of City/Caltrans coordination regarding Hwy 145.

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		planning on addressing this Policy Statement.		Please see: <ul style="list-style-type: none"> • Policy CI-43 (and associated action items) • Policy LU-26 (and associated action items)
County of Madera	E-4	1. Page 4-16, The map is very difficult to read, perhaps an 11x17 fold out map would be a better scale for viewing the document. The plan line section for the Metro Loop shown on the Circulation Master Plan does not appear to be defined.	The Circulation Map will be printed at 11x17 size in the final General Plan.	Circulation Element Policy CI-2 defines the exact scale at which the Circulation Map is to be printed for interpretation. The map included in the Circulation Element is printed at a smaller scale and is intended to be used for general information only.
County of Madera	E-5	2. Page 4-18, Policy CI-10, Madera County supports this Policy Statement. It should be noted within the document that the California Department of Transportation is currently working on a project study report for Highway 65.		Comment noted. The City looks forward to ongoing cooperation with the County of Madera on this and other issues.
County of Madera	E-6	3. Page 4-22, Policy CI-23, To maintain a level of service C (in areas outside of those allowed to maintain level of service D) requires extensive capacity improvements to be made to accommodate new growth. By requiring such a high level of service, the City will discourage pedestrian		Comment noted. The City has historically sought to maintain a standard of LOS C, and the traffic analysis for the General Plan Update (see the General Plan EIR for detailed information) concluded that proposed development consistent with the Land Use Map can be accommodated with

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		oriented smart growth" as promoted through the proposed General Plan update and will unintentionally encourage increased automobile use. The County recommends a minimum level of service D.		<p>standard arterial and collector roadways. It should also be noted that Policy CI-23 provides for the use of LOS D 1) on arterials already exceeding LOS C, 2) in the Downtown District and 3) on streets experiencing congestion due to the presence of at-grade rail crossings.</p> <p>The use of standard roadways, combined with "Complete Streets" and "Walkability" policies in the Circulation Element (see policies CI-32 and CI-33) will ensure that pedestrians will be adequately accommodated in new development and in the redevelopment of existing areas.</p>
County of Madera	E-7	4. Page 4-28, Policy CI-39, The Madera County Board of Supervisors has submitted a letter to the high speed rail authority voicing opposition to any alignment for the system other than along the BNSF alignment. An alignment west of the City of Madera must be in close proximity to the City's urban boundary, to reduce the impacts of the regions prime agricultural lands. Madera County cannot support an alignment along the Union Pacific line.	<p>The first bullet item in Policy CI-39 is revised as follows:</p> <ul style="list-style-type: none"> "The high speed rail system through (or in the vicinity of) the General Plan Planning Area should be established within a rail corridor which is located west of the city limits and located so as to minimize impacts to agricultural lands outside the Urban Growth Boundary. To the extent such an alignment is determined to be infeasible and 	<p>The City notes that Policy CI-39 agrees with the County's position on the use of the Union Pacific line:</p> <p>"... the High Speed Rail project should specifically avoid the placement of facilities adjacent to the Union Pacific (UP) tracks which bisect the City."</p>

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			<p>an alternative alignment must be utilized, the High Speed Rail project should specifically avoid the placement of facilities adjacent to the Union Pacific (UP) tracks which bisect the City.” [underline added to show revised text]</p>	
County of Madera	E-8	<p>5. Page 4-30, Action Item CI-43.1 & CI-43.2, Madera County strongly supports the idea of re-routing Highway 145 outside of the City of Madera's downtown district. A logical re-routing would be to cross the Fresno River east of the existing Railroad Crossing, just west of Island Drive and connect Highway 145 into the Avenue 17 alignment.</p>		<p>Comment noted. No specific alignment for a rerouted Highway 145 is proposed in the General Plan; this will be the subject of additional detailed planning and coordination involving the City, the County, and Caltrans.</p>
County of Madera	E-9	<p>6. Page 4-31, Policy CI-44, Madera County agrees with the avoidance of "leapfrog development"; however, Village E as proposed may contribute to "leapfrog" development as it "jumps" over an agricultural easement and may include the costly extension of City services to the west.</p>	<p>The Land Use Map has been revised to address this comment. Please see the updated Land Use Map, which is included as an attachment to this Matrix. The land use designation for this area has been changed from Low Density Residential to Very Low Density Residential.</p> <p>An excerpt of the Land Use Map (as modified) is shown below.</p>	<p>The City also notes that the Village-Specific policies for Village E specifically exclude the extension of urban infrastructure:</p> <p>“The City does not intend to intensify the existing pattern of rural residential lots in this area, and the extension of infrastructure to serve new development in this area is not permitted.” [emphasis added] <i>Note:</i></p>

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			<p>The map displays various colored zones representing different land use densities. A callout box points to a specific area, stating 'Area changed to Very Low Density Res'. A vertical dashed line is labeled 'RD 23 1/2'.</p>	<p><i>the word “not” was added to this policy in response to another comment to clarify the City’s intent for this area.</i></p>
County of Madera	E-10	1. Page 5-6, Last paragraph could you please provide a reference to the document where the number of 1,315 acres of farmland per year Countywide was converted between 1984 and 2006. That figure appears to be quite high.		<p>This information was obtained from the California Department of Conservation’s “Madera County 1984-2006 Land Use Summary, 2006,” which can be viewed here:</p> <p>http://redirect.conservation.ca.gov/DL RP/fmmp/pubs/1984-Present/mad_1984-Present.xls</p>
County of Madera	E-11	2. Page 5-16, 4th paragraph, please elaborate on what PG&E project you are discussing. Is this PG&E's 500kv (C3ET project)? If that is the case those lines are proposed within Madera County running along the	<p>The text on page 5-16 has been edited as follows:</p> <p><u>“As of 2008, PG&E is proposing to construct was investigating the construction of a new transmission line</u>”</p>	<p>The information in the Conservation Element is the latest available to the City from PG&E.</p>

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		<p>existing Helms-Gregg 230kv line through the Madera Ranchos, or an alternative route shows the line running north along Road 33½ and then east along Highway 145. Please clarify, Road 11 1/2 or Road 12 1/2 does not exist in the City of Madera.</p>	<p>south of Madera’s current city limits to provide additional service capacity. Two alignments are being studied— one parallel to the planned alignment of Road 11½ and another parallel to the planned alignment of Road 12½. <u>To the extent that PG&E continues to consider new transmission facilities anywhere within the General Plan planning area, the City has indicated a preference that such facilities be located outside the City’s growth boundary in order to minimize conflicts with planned urban land uses.</u> for the Road 11½ alignment, since the other route would take the transmission line through lands planned for urban uses.” [strikeout/underline added to show edits]</p>	
County of Madera	E-12	<p>3. Page 5-27, Policy CON-13, We would encourage the City of Madera to adopt a policy statement to maintain parcels large enough to sustain agricultural production to a minimum of 40 acres, not the 20 acre minimum that is suggested.</p>		<p>Comment noted. The minimum 20-acre parcel size is sufficient for many crop types, including wine grapes and other specialty crops grown in the planning area. The City would examine larger parcel sizes for agricultural lands with lower value crops which typically require larger parcels to be economically viable. However, the City would not oppose</p>

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				the County's establishment of a 40-acre minimum parcel size in this area.
County of Madera	E-13	4. Page 5-31, Action Item CON-24.2, in the first sentence of the action item it appears that a duplication of the words "or likely to occur" should be corrected.	The text of Action Item CON-24.2 has been edited as suggested to eliminate the redundant "or likely to occur."	
County of Madera	E-14	1. Page 6-15: No discussion of the Citygate Fire Master Study that was conducted County wide and gives recommendations for improvements within the City of Madera and County of Madera.	<p>The following text has been added to the Health and Safety Element in the introductory section addressing Fire Protection:</p> <p><u>"In 2008, a Fire Department Planning Study was prepared for the County of Madera. The study included:</u></p> <ul style="list-style-type: none"> • <u>A Standard of Response Cover planning analysis (fire station and crew deployment) to examine the levels of fire department service by occupancy type and land use classification;</u> • <u>Fire station and staffing infrastructure "triggers";</u> 	

¹ Source: "Fire Department Planning Study for Madera County, CA," Citygate Associates, Inc., for the County of Madera, September 17, 2008

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			<ul style="list-style-type: none"> • <u>An analysis of fire protection/prevention systems, including the water supply and urban-wildland interface fire prevention strategies; and</u> • <u>Finance options for changes to the Madera County Fire Department.1</u> <p><u>Although the study, including its findings and recommendations, has not been formally adopted, it provides information which may be utilized in long-range fire master planning for the County of Madera, including in and around the City of Madera.</u>" [underline added to show new text]</p>	
County of Madera	E-15	1. Page 7-1, 1st paragraph: Indicates that the document was last updated in 2004, but covers 1998-2004. Paragraph continues to indicate that the revised document was a comprehensive update to the 2004 document. Revise accordingly.	Revise text of the Housing Element on page 7-1 as shown below: "The City of Madera last updated its Housing Element in March 2004. The Element was subsequently certified as legally adequate by the California Department of Housing and Community Development (HCD). The document was originally intended to serve <u>the 5-year Housing Element</u>	The text has been edited for clarity.

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			<p>planning period of <u>2000</u> to 2005, <u>which was part of the greater 1998-2005 RHNA planning period. However, state law extended the Housing Element planning period to 2002 due to a statewide slowdown in housing construction during the 1990s.</u> This Housing Element is a comprehensive update of the <u>2004</u> Housing Element and is intended to serve a planning period from 2009 to 2014 <u>as part of the 2007 to 2014 RHNA planning period.</u> Upon its adoption, this Element will become part of the General Plan, which <u>was</u> is being updated in 2009.” [underline added to show revised text]</p>	
County of Madera	E-16	<p>2. Page 7-7, "...The group with the greatest decline in share of Madera's population was the 20 to 24 age group which declined from 9 to 6.84 percent. The 2000 to 2008 period saw a decline in the population in this age group..." the start of that second sentence is rather redundant considering no other time frame is discussed in this paragraph. May wish to re-write.</p>	<p>Revise text on page 7-7 of the Housing Element as shown below: "The group with the greatest decline in share of Madera's population was the 20 to 24 age group, which declined from 9.0 to 6.8 percent. The 2000 to 2008 period saw a decrease in the population of this age group, although a corresponding pattern was not observed from 2000 census figures for this cohort. The 15 to 19 age group population saw an increase of 9.39 percent in 2008. The 55 to 85+ age</p>	New text addresses E-16 - E-18.

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			<p>population did not <u>experience significant</u> change between 2000 and 2008, with 14.4 percent and 14.2 percent respectively. The percentage share of the population between the ages 25 and 59, shows that over the 8 year period the City experienced positive growth <u>within this age cohort</u>, which signifies the City's ability to retain and attract residents that are typically the highest income earners. For example, In 2000 the total percentage share for the 25-59 age groups was 41 percent. In 2008 the percentage share increased to <u>46.0 percent.</u> [underline added to show revised text]</p>	
County of Madera	E-17	<p>3. Page 7-7: "The 55 to 85+ age population did not change between 2000 and 2008, with 14.4 percent and 14.2 percent respectively". Well, that is a change, albeit not much of a significant one at that. May wish to revise sentence saying something to the effect that there was not a significant change in that age cohort.</p>	See edits above.	
County of Madera	E-18	<p>4. Page 7-7: "... signifies the City's ability to attract residents that are typically the highest income earners."</p>	See edits above.	

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		Why bring up the point of income earnings here when there is no discussion of income any where else in this paragraph?		
County of Madera	E-19	5. Page 7-9: paragraph just above Table H-2 would indicate that the table just shows the ratio of households to households, where there is considerably more information provided in that table.		No change.
County of Madera	E-20	6. Page 7-17: listing of DP Enterprises LLC as being a large employer does not correlate with the fact that they are not listed in the table.	Revise text on page 7-17 as of the Housing Element shown below: “Table I-6 shows the largest employers in Madera County according to the Employment Development Department. The majority of employers employ between 100 and 499 <u>people with permanent workers, while the largest employers such as Children’s Hospital, the State of California, Madera Unified School District, Chukchansi Gold Resort and Casino, and DP Enterprises LLC and the County of Madera provide more than 1,000 jobs.”</u> [underline added to show revised text]	Narrative edited to reflect larger employers shown in updated table.

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County of Madera	E-21	7. Page 7-17: Madera Unified School District should be mentioned as providing a large percentage of employment; in addition the State of California is also a large portion of employment.	See above edits.	
County of Madera	E-22	8. Page 7-25, narrative for Table H-11: indicates that 34% of housing stock was less than 10 years old. However, the table would indicate that figure to be 26% (1999-2008). This is on the basis that 1999 was year 1, and 2008 is year 10, and the figure is not a combination of the 1999-2008 and 1995 - 1998 figures.	Revise text on page 7-25 of the Housing Element as shown below: "According to Claritas and seen in Table I-11 , <u>26</u> 34 percent of the housing stock was less than ten years old, a substantial increase from 2000 that accounts for a strong housing construction cycle the City experienced during this time." [underline added to show revised text]	
County of Madera	E-23	9. Page 7-32: "... Considering that the median household income in 2008 was \$\$53,800, .. ."; one to many \$.		Extra "\$" taken out.
County of Madera	E-24	10. Page 7-34, 1st paragraph, "... in the table below..."; on that page there are no tables. Refer by table number which table being compared to.	Revise text on page 7-34 of the Housing Element as shown below: "As seen in the table below Table 17 , 45 percent of all renter occupied households overpaid for housing in 2000, which was 14 percent higher than the percentage of owner	

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			occupied households (31 percent) overpaying for housing. 2,991 of the 4,336 households that overpaid for housing earned less than \$20,000, which represented 69 percent of all households overpaying. The high percentage of households earning less than \$20,000 that were overpaying for housing highlights the housing burden experienced by lower wage earners." [underline added to show revised text]	
County of Madera	E-25	11. Page 7-34, 1st paragraph, last sentence, "... less than \$20,000 overpaying for..." missing <u>and</u> between "\$20,000" and "overpaying" (TYPO)	Revise text on page 7-34 of the Housing Element as shown below: " <u>Approximately</u> 2,991 of the 4,336 households that overpaid for housing earned less than \$20,000, which represented 69 percent of all households overpaying." [underline added to show revised text]	Sentenced was re-structured.
County of Madera	E-26	12. Page 7-54, first paragraph, "... Table 1-24..." shouldn't that be H-24?		Comment noted. Final table numbering will be addressed after all revisions have been approved and prior to the final printing of the General Plan.
County of Madera	E-27	13. Page 7-65, in the narrative where it discusses the RHNA numbers and breaks down the City's requirements	Revise text on page 7-65 of the Housing Element as shown below:	

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		<p>by income level, you may wish to separate the Extremely Low and Very Low numbers instead of lumping them together under the Very Low narrative. This would lead the reader to believe that you are over inflating the Very Low numbers and ignoring the Extremely Low category.</p>	<p><u>“Per AB 2634, the City must estimate the projected number of extremely low-income households and one way to do so is by assuming half of its very low-income RHNA is for extremely low-income. The total assigned very low-income allocation is 1,499 or 24 percent of total units, and approximately 749 of that need is attributed to extremely low-income households, low- income (996 units or 16 percent of total units), moderate-income (1,230 units or 20 percent of total units), and above moderate-income (2,573 units or 41 percent of total units).”</u> The City must estimate the projected number of extremely low-income households and one way to do so is by assuming half of its very low-income RHNA is for extremely low-income. [underline added to show revised text]</p>	
County of Madera	E-28	<p>14. Page 7-66. top paragraph: "... Between January 1, 200 and December 31, 2008.. ." Revise.</p>	<p>Revise text on page 7-66 of the Housing Element as shown below: “Table I-32 summarizes projects approved, building permits issued, and units constructed by year. Between January 1, 2007 and December 31, 2008, the City has issued permits for</p>	

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			323 units, none of which were for units restricted to households of low- or moderate-incomes." [<u>underline added to show revised text]</u>	
County of Madera	E-29	15. Page 7-68, last paragraph, the author is giving assessor parcel numbers for property within the County. The analysis should include only City assessor parcel numbers. If this discussion of County numbers is due to the potential of these parcels being annexed into the City, please include that in the discussion.		The referenced parcels were annexed into the City in 2007. The parcel numbers provided are the most current that are available and are valid until new numbers are assigned by the County Assessor. New assessor parcel numbers had not been assigned at the time this response was prepared.
County of Madera	E-30	16. Page 7-69 1st paragraph, the author is giving the date range of January 1, 2007 through December 31, 2008, whereas Table H-33 just above the paragraph indicates January 1, 2007 through to the present. Revise as needed.		Revised as suggested.
County of Madera	E-31	17. Page 7-72, under the section of water, the author indicates that there are no concerns regarding water usage within the City, but yet even the City's own publishing (Madera Tribune, and the circular mailed to residents) indicate a Stage 2 water conservancy program in effect due to		No change; discussion included in the element is accurate in that there are no critical issues that would prevent the City from meeting water demand within the Housing Element planning period and the discussion is adequate for purposes of meeting state law

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		drought conditions currently affecting the region. Clarify this discrepancy.		requirements.
County of Madera	E-32	18. Page 7-112, Action Item H-1.1.3, bullet point with County APN #035-180-016 this is not a current assessors parcel number. This parcel has been annexed to the City of Madera, please provide the correct assessors parcel number.	Revise text to Action Item H-1.1.3 of the Housing Element as shown below: <ul style="list-style-type: none"> • <u>“38.34 acres of land currently zoned R1 (APN 008-180-005)”</u> [underline added to show revised text]	City supplied new City assessor number.
County of Madera	E-33	19. Page 7-116, Policy H-2.2, the Action Item indicates work with Madera County and Madera County LAFCo, however the introductory paragraph makes no mention of working with the County. Revise as needed.	Revise text of Policy H-2.2 of the Housing Element as shown below: <p>“The City shall continue to coordinate with <u>Madera County</u> and the Madera County Local Agency Formation Commission to ensure consistency with LAFCO policies and procedures.”</p> [underline added to show revised text]	
County of Madera	E-34	1. Page 8-3, Please reference where the figure of 1,315 acres of agricultural lands being converted yearly between 1984 and 2006. That figure appears to be elevated		This information was obtained from the California Department of Conservation’s “Madera County 1984-2006 Land Use Summary, 2006,” which can be viewed here: http://redirect.conservation.ca.gov/DL/RP/fmmp/pubs/1984-

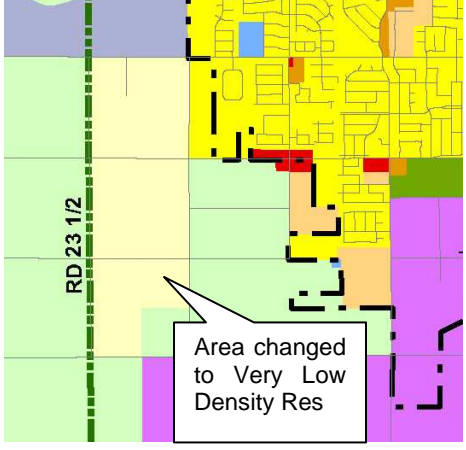
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				Present/mad_1984-Present.xls
County of Madera	E-35	2. Page 8-10, Policy LU-2, should clarify the language within this Policy that states the City can change the General Plan Designation at its discretion and not be considered a General Plan Amendment. Madera County would like to see language inserted that denotes minor changes at the Planning Directors discretion can be made to the General Plan land use without being considered an amendment to the Plan. The statement as written appears to state that the City can change the land use designations at its discretion and not have to follow State law for a General Plan Amendments.	The text of Policy LU-2 has been revised as follows: Such a <u>Minor</u> changes of this type shall not be considered an amendment to this General Plan.” [strikeout/underline added to show changes]	
County of Madera	E-36	3. Page 8-16, Policy LU-14, Madera County is concerned with the proposed language within this policy statement. We believe it could result in an unfair burden on those existing residents living in the communities of Parksdale, and Parkwood to name a few. If those residents are forced to fund a public facilities financing plan prior to the City of Madera annexing the property, it would result in an		Comment noted. Proposed policies in the updated General Plan (including policies LU-13, LU-14, and LU-15) are specific to property to be annexed “for the purpose of new development” and would not apply to or preclude the annexation of already developed areas.

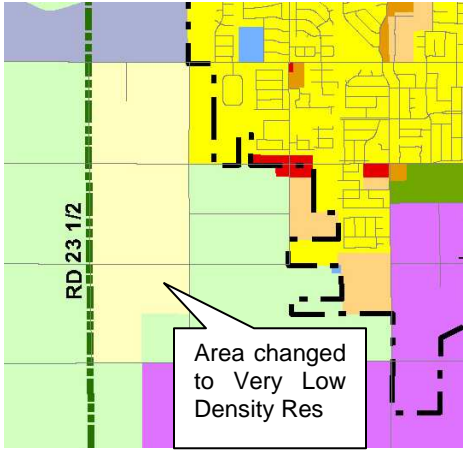
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		<p>unfair burden to the existing community. We believe this policy in principal is a good one, however would like to see some language that addresses those existing built neighborhoods that appear to be in line for annexation to the City of Madera in the near future.</p>		
County of Madera	E-37	<p>4. Page 8-48, Village E: West Madera, Madera County takes exception to the land use designations identified in the West Madera Village. In Chapter 5 within your General Plan Document you state: "In 2002, Madera County farmers joined with County agricultural official and State and Federal conservation agencies to create an area of protected agricultural land in the southwest area of Madera. The 440-acre area was established to help direct growth away from the west edge of Madera in recognition of the agricultural value the land in this area represents. While the protected area creates an irregular and non-contiguous barrier, its presence clearly reflects the intent to keep these and other lands further to the west in agricultural production." We do not</p>	<p>The Land Use Map has been revised to address this comment. Please see the updated Land Use Map, which is included as an attachment to this Matrix. The land use designation for this area has been changed from Low Density Residential to Very Low Density Residential.</p> <p>An excerpt of the Land Use Map (as modified) is shown below.</p>	<p>As noted, the land use designation for the area discussed in this comment has been changed to Very Low Density. This designation matches the existing pattern of development and parcelization in this area, and would not facilitate significant additional development that could be in conflict with the agricultural easement area.</p> <p>It should also be noted that the Village-specific policies for Village E (pages 8-49 and 8-50 address this issue and limit parcel sizes to a minimum of five acres.</p>

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		<p>this village reflects your previous statement within the document. The existing agricultural easement has been shown surrounded by low density residential and industrial lands, thus nullifying its initial purpose for creation that was discussed in Chapter 5.</p>	 <p>The map displays various colored zones representing different land use designations. A callout box with a white background and black border points to a specific area, stating 'Area changed to Very Low Density Res'. A vertical dashed line on the left side of the map is labeled 'RD 23 1/2'.</p>	
County of Madera	E-38	<p>1. Page 12-7, Policy SUS-1, Madera County is in support of this Policy Statement, but it should include language referencing the Golden Valley Unified School District. The City General Plan Planning Area boundaries includes approximately 95 acres of property within the Golden Valley Unified School District at the south eastern edge of the planning area.</p>	<p>Policy SUS-1 has been revised as follows:</p> <p>Policy SUS-1: The City shall assist the Madera Unified <u>School Districts serving Madera</u> in obtaining mitigation for the impacts of new development on school facilities." [strikeout/underline added to show changes]</p>	
<p>Comment Letter F - Ray Beach, Madera County Resource Management Agency, June 29, 2009</p>				
County of	F-1	Madera County has concerns over the	The Land Use Map has been revised	As noted, the land use designation for

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Madera		<p>proposed Village E shown on the land use map provided within the document. It appears that the City of Madera is planning for primary growth west of the City limits into the County's prime agricultural lands. There are several inconsistencies contained within the General Plan that relate to the proposed growth to the west. For example, on page 8-50 of the Land Use section it states "The westerly neighborhood of Village E generally lies west of the existing conservation easements which are intended to represent the westerly limit of urban growth in this area. The City does intend to intensify the existing pattern of rural residential lots in this area." That statement is inconsistent within itself, as it states that the agricultural easement in the area is meant to serve as the limit for urban growth, however, the City is planning to urbanize that area. It is depicted within your land use map as being low density residential and industrial west of the agricultural conservation easement. The County cannot support development west of the agricultural conservation easement that your document states is meant to serve as</p>	<p>to address this comment. Please see the updated Land Use Map, which is included as an attachment to this Matrix. The land use designation for this area has been changed from Low Density Residential to Very Low Density Residential.</p> <p>An excerpt of the Land Use Map is shown below.</p>  <p>In addition, the text of the bulleted item on page 8-50 that begins with "The westerly neighborhood ..." has been edited as follows:</p> <p>"The City does <u>not</u> intend to intensify</p>	<p>the area discussed in this comment has been changed to Very Low Density. This designation matches the existing pattern of development and parcelization in this area, and would not facilitate significant additional development that could be in conflict with the agricultural easement area.</p> <p>It should also be noted that the Village-specific policies for Village E (pages 8-49 and 8-50 address this issue and limit parcel sizes to a minimum of five acres.</p> <p>The text on page 8-50 has been edited as shown to correct the apparent confusion caused by the missing word, "not." The City does not intend to intensify development in this area.</p>

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		the extent of urban development.	the existing pattern of rural residential lots in this area, and the extension of infrastructure to serve new development in this area is not permitted." [underline added to show new text]	
County of Madera	F-2	The area designated for Village Reserve within Village D west of Road 24 should be planned for Resource Conservation/Agricultural. The City of Madera is proposing extensive development west of the City limits into the County's prime agricultural land. This area west of the City of Madera should be protected from urban development by strong policy statements for agricultural buffer zones, prohibiting urban development. The General Plan contains several inconsistencies related to providing for agricultural protection, while the proposed Land Use does not reflect those policy statements related to agricultural protection. It has been the policy of the Madera County Board of Supervisors that no new development occurs west of Highway 99. We would strongly urge the City of Madera to adhere to this policy statement		<p>Comment noted. The Village Reserve land use designation does not apply a specific land use to areas so designated:</p> <p>"Specific land use designations called out in this Land Use Element will be applied in conjunction with the village level planning processes." [excerpt from Land Use Policy LU-19]</p> <p>The Village Reserve designation also requires the completion of a detailed comprehensive planning process (detailed in Land Use Policy LU-34 on page 8-31 of the Public Review Draft General Plan) during which land use, agricultural buffers, infrastructure, and other issues will be addressed. The City feels that this comprehensive planning process (which, as noted in Policy LU-34, could require additional environmental analysis) adequately addresses the concerns expressed in</p>

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		wherever feasible.		<p>this comment.</p> <p>The commenter is also directed to the following policies, which address the issues raised in this comment:</p> <ul style="list-style-type: none"> • Policy LU-10 (Growth Boundary) • Policy LU-11 (Green Belt) • Policy CON-15 (Ag Buffers); and • Village-specific Policies for D & E (Permanent Ag Buffer on West Side)
County of Madera	F-3	<p>Sphere of Influence—It appears that the City of Madera is proposing significant expansion of the existing Sphere of Influence for the City, however, a sphere of influence expansion is not mentioned within the document. Villages A, B, O, E, and H expand well beyond the City's current Sphere of Influence. Madera County would like the City of Madera to reduce the proposed footprint of urban development in closer proximity to the Sphere of Influence or have further discussion and analysis within the document on expansion of the Sphere of Influence.</p>		<p>Comment noted. The City is not proposing a change of its Sphere of Influence at this time, but would be required (pursuant to state law) to expand the Sphere of Influence prior to or concurrent with the annexation of any lands outside the current Sphere.</p>

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County of Madera	F-4	<p>Infrastructure—In addition to the land use section outlined above, the County would like to see much stronger goal and policy language dealing with the City's infrastructure. There is little mention of road infrastructure, sewer infrastructure, and water supply infrastructure. This is especially true regarding the proposed expansions to many of the Villages on the City's fringe and there is no detail regarding infrastructure expansions to the State Center Community College Plan Area. Please include a detailed analysis and discussion within the General Plan related to the City's infrastructure needs to serve your existing and future residents.</p>		<p>Comment noted. The City's infrastructure master plans are contained in other documents, which are summarized in the General Plan Update EIR. The City does not intend to include these master plans in the General Plan, since they include more detail than is needed in a policy-level document.</p> <p>Master plans summarized in the General Plan Update EIR include:</p> <ul style="list-style-type: none"> • City of Madera Water System Master Plan – 1997 • City of Madera Urban Water Management Plan – 2005 • Madera County Integrated Regional Water Management Plan- 2008 • City of Madera Sewer System Master Plan- 1997 • Madera County Groundwater Management Plan – 2002 • MUSD 10-yr Facilities Plan and Budget Report- 2007 <p>The commenter is also directed to the following:</p> <ul style="list-style-type: none"> • Action Item LU-13.1 (commits the City to maintain and periodically

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				updating its master plans), <ul style="list-style-type: none"> • Policy LU-4 (Requires PFFP for new annexations at the village level), and • Policies CI-47 and CI-49 (addressing requirement for sufficiency of infrastructure)
County of Madera	F-5	We commend the City for crafting a document that includes many smart growth principles, including the promotion of a strong pedestrian environment. However, the County believes Policy CI-23 (must maintain a minimum level of service C) conflicts with many smart growth practices. To maintain a level of service C (in areas outside of those allowed to maintain level of service D) requires extensive capacity improvements to be made to accommodate new growth. In affect, by requiring such a high level of service, the City will discourage pedestrian oriented "smart growth" as promoted through the proposed General Plan update and will unintentionally encourage increased automobile use. The County recommends a minimum level of service 0 to promote smart growth		C Comment noted. The City has historically sought to maintain a standard of LOS C, and the traffic analysis for the General Plan Update (see the General Plan EIR for detailed information) concluded that proposed development consistent with the Land Use Map can be accommodated with standard arterial and collector roadways. It should also be noted that Policy CI-23 provides for the use of LOS D 1) on arterials already exceeding LOS C, 2) in the Downtown District and 3) on streets experiencing congestion due to the presence of at-grade rail crossings. The use of standard roadways, combined with "Complete Streets" and "Walkability" policies in the Circulation Element (see policies CI-32 and CI-33) will ensure that pedestrians will be

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		patterns.		adequately accommodated in new development and in the redevelopment of existing areas.
Comment Letter G - Chung-te "Dick" Tzou, Madera Irrigation District, June 29, 2009				
Madera Irrigation District	G-1	<p>City General Plan Pgs 5.2, 3:</p> <p>"The main source of water for agriculture is surface water provided by the Madera Irrigation District and Lake Madera, although a number of farms also use groundwater from on-site wells for some or all of their irrigation water."</p> <p>Upstream from Madera on the Fresno River, the Hidden Lake Dam forms Hensley Lake. operated by the U.S. Army Corps of Engineers for flood control and to provide water to agricultural users.</p> <p>Urban development in the Planning Area obtains its water supply from wells drilled into the Madera groundwater subbasin. According to the City's 2005 Urban Water Management Plan, the Madera Subbasin has been in a state of overdraft¹ for several years. However, the overdraft is most likely tied not to</p>	<p>The text of the Conservation Element has been revised to read as follows:</p> <p>"One of the more prominent natural features of the Madera landscape is the seasonal Fresno River. The Fresno River, the channel of which traverses the city of Madera, is dry for much of the year. The Planning Area also gains surface water from Cottonwood Creek, Dry Creek, and Schmidt Creek. The main source of water for agriculture is surface water provided by the Madera Irrigation District and Lake Madera, although a number of farms also use groundwater from on-site wells.</p> <p>Upstream from Madera on the Fresno River, the Hidden Lake Dam forms Hensley Lake, operated by the U.S. Army Corps of Engineers for flood control and to provide water to agricultural users.</p> <p>Urban development in the Planning</p>	The revised text removes the inconsistency and clarifies the role and character of agricultural water use.

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		<p>urban use in Madera but to the use of groundwater by agricultural uses, which obtain most of their water from wells (although some farms use surface water).</p> <p>The red lettering phrase is an add-on to the original text. The two highlighted portions appear to contradict each other. MID is defined as a conjunctive use district which uses both surface and ground water conjunctively to satisfy the crop water demand.</p>	<p>Area obtains its water supply from wells drilled into the Madera groundwater subbasin. According to the City's 2005 Urban Water Management Plan, the Madera Subbasin has been in a state of overdraft for several years. However, <u>because 97% of all groundwater use in the County is for agricultural purposes</u>, the overdraft is most likely <u>not tied primarily</u> not to urban use in Madera, but to the use of groundwater by agricultural uses since 97% of all water use in the County results from agricultural uses, which obtain most of their water from wells (although some farms use surface water). <u>While a significant portion of the agricultural water demand in the area is met by surface water through the Madera Irrigation District, many farms use groundwater from on-site wells for some or all of their irrigation needs.</u>" [strikeout/underline added to show changes]</p>	
Madera Irrigation District	G-2	City General Plan Pg 5.26: POLICY CON-10 - Examples of potential programs may also include: The development of new storm water	The following bullet item has been added to Policy CON-10: <ul style="list-style-type: none"> • "The development of new storm drain runoff retention ponds for 	

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		runoff retention ponds for sediment and pollutant removal based on updated storm water master plan. Establishment and implementation of a storm water quality monitoring program.	sediment and pollutant removal based on the updated storm water master plan."	
Madera Irrigation District	G-3	<p>City General Plan Pg 6.9: "Regional flood control (or "storm drainage") facilities in the Planning Area are provided by two agencies:</p> <ul style="list-style-type: none"> • Madera County Flood Control & Water Conservation Agency • Madera Irrigation District" <p>Further clarification may be necessary to define MID's role in the city's flood control effort. MID is not responsible for any flood control planning or related activities. Flood control is not part of MID's function. However, MID does provide the facilities such as canals and pipeline to convey flood, storm, and drainage water to various destinations in the Planning Area as part of an agreement between MID and the City of Madera.</p>	<p>The text on page 6-9 of the Health and Safety Element has been modified as shown below to clarify the role of the MID:</p> <p>"Regional flood control (or "storm drainage") facilities in the Planning Area are provided by two agencies: <u>the Madera County Flood Control & Water Conservation Agency.</u></p> <p>Madera Irrigation District</p> <p>The City of Madera does not build or maintain regional storm drainage facilities, but does regulate the construction of city storm drainage basins and onsite storm drainage retention basins, as provided for in the City's Storm Drainage Master Plan.</p> <p><u>While it is not a flood control agency, the canals of the Madera Irrigation District are used to carry storm water under the terms of an agreement with the City of Madera."</u></p>	The footnote at the bottom of page 6-9 has also been removed.

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			[strikeout/underline added to show changes]	
Madera Irrigation District	G-4	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Madera Irrigation District	G-5	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Madera Irrigation District	G-6	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Comment Letter H - Moses Stites, State of California Public Utilities Commission, June 29, 2009				
California Public Utilities Commission	H-1	While the CPUC concurs with the proposed policies; HS-29, HS-30 and action items HS 30.1 and HS-30.2., we recommend that the City amend Policy CI-6 and CI-12 to include the at-grade rail crossings and rail corridors in the City. Otherwise, each future proposed development will be subject to individual traffic impact studies and a determination of fair share mitigation toward at-grade rail crossings if not included in a City Wide Fee Program or Regional Fee Program.	Policy CI-6 has been revised as follows: "The City shall protect future right-of-way needed for <u>freeways</u> , arterial and collector streets, <u>and interchanges and railroad corridors and crossings</u> from encroachment by development or other incompatible uses or structures." [underline added to show changes]	In addition to revised Policy CI-6, Policy CI-12 also addresses the issue raised in this comment: " Policy CI-12: New development shall provide funding acceptable to the City for the construction and permanent maintenance of all roadway facilities . Potential funding mechanisms may include assessment districts, community facility districts, or other methods." [emphasis added]

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California Public Utilities Commission	H-2	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Comment Letter I - Dave Warner, San Joaquin Valley Air Pollution Control District, June 26, 2009				
San Joaquin APCD	I-1	<p>The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the City of Madera General Plan Update and the associated Draft Environmental Impact Report (DEIR) and offers the following comments:</p> <p>1. There are four areas of air quality discussion required by AB 170, section 653021.c. (1) a report describing local air quality conditions, attainment status, and state and federal air quality and transportation plans; (2) a summary of local, district, state, and federal policies, programs, and regulations to improve air quality; (3) a comprehensive set of goals, policies, and objectives to improve air quality; and (4) feasible implementation measures designed to achieve these goals. The District recognizes that the first three of these areas have been addressed in the DEIR and the fourth requirement has</p>	<p>The Conservation Element (page 5-10) has been revised to include the following new text:</p> <p><u>“Recent (2005 - 2007) air quality information for Madera is shown in Table CON-A, below.</u></p> <p><u>Assembly Bill 170, Reyes (AB 170), was adopted by state lawmakers in 2003 creating Government Code Section 65302.1, which requires cities and counties in the San Joaquin Valley to incorporate data and analysis, comprehensive goals, policies and feasible implementation strategies designed to improve air quality into their general plans. Four (4) areas of air quality discussion are required:</u></p> <p><u>(1) A report describing local air quality conditions, attainment status, and state and federal air quality and</u></p>	

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		<p>been addressed in the General Plan. AS 170, section 653021.c requires that all of these areas be addressed in the General Plan. While it is permissible (CEQA guidelines 15166) to present the requirements in separate documents, the District recommends that the General Plan be revised to refer the reader to the DEIR for the first three AB 170 requirements.</p>	<p><u>transportation plans:</u></p> <p><u>(2) A summary of local, district, state, and federal policies, programs, and regulations to improve air quality;</u></p> <p><u>(3) A comprehensive set of goals, policies, and objectives to improve air quality; and</u></p> <p><u>(4) Feasible implementation measures designed to achieve these goals.</u></p> <p><u>Air quality topics 1-3 are largely addressed in Chapter 4.6 of the Environmental Impact Report. Topic 4 is primarily addressed by including policies in the various elements of General Plan itself.</u> [underline added to show changes]</p>	
<p>Comment Letter J - Lucinda Roth, San Joaquin Valley Air Pollution Control District, June 22, 2009</p>				
<p>California Public Utilities Commission</p>	<p>J (All)</p>	<p>The San Joaquin Valley Air Pollution Control District (District) thanks you for the opportunity to review the City of Madera's General Plan Update (State Clearinghouse Number: 2007121153) for compliance with air quality based transportation conformity</p>		<p>Comment noted.</p>

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		<p>requirements.</p> <p>Based on the District's evaluation and information currently available to the District, the City of Madera's General Plan Update appears to comply with air quality related transportation conformity requirements.</p>		
<p>Comment Letter K – Cathy Creswell, State of California Department of Housing and Community Development, May 28, 2009</p>				
California HCD	K-1	<p>A. Housing Needs, Resources and Constraints</p> <p>1. Land Inventory for Residential Development Adequacy of PD3000</p> <p>a. Infrastructure Capacity: Indicated expansion of water plant but must state whether capacity will accommodate RHNA.</p>	<p>Revise text on page 7-72 of the Housing Element as shown below:</p> <p>“With approximately 12,419 water service connections the City is not currently facing any critical water supply issues or problems and does not anticipate there will be any constraints within the Housing Element planning period (2007-2014) to <u>accommodate the City's current RHNA.</u>” [underline added to show revised text]</p> <p>Revise text on page 7-73 of the Housing Element as shown below:</p> <p>“The plant should not exceed its design capacity for several years to come <u>and is expected to accommodate the City's current</u></p>	<p>The modifications to the text clarify that both water and wastewater capacity is available to serve projected growth per the City's current RHNA.</p>

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			<u>RHNA.</u> [underline added to show revised text]	
California HCD	K-2	<p>b. Suitability of Large Sites</p> <p>i. Ventana Specific Plan – capacity of 433 units assigned on 42.7 acres - Analyze the effect of a large site on the potential development of housing affordable to lower-income households. Discuss opportunities for specific plan development, further lot subdivision or other methods to facilitate development of housing for lower-incomes.</p>	<p>Revised text on page 7-68 in Available Land Currently Planned for Residential Use section as shown below:</p> <p><u>“Even though the Ventana Specific Plan is a large site, it is still viable for development because it is currently a tentative map that has not yet been subdivided, which means that it is readily available for a developer to subdivide or propose a new project or layout. However, the specific plan calls for this section of the parcels to be built with higher density housing types, which are appropriate densities for lower income households.”</u> [underline added to show revised text]</p>	
California HCD	K-3	<p>c. Zoning for Lower-Income Households</p> <p>i. Since PD3000 sites are actually 15 du/acre, which is less than the City’s default density of 20, the City needs to discuss factors like market demand, financial feasibility and developer experience within these zones to demonstrate the housing for lower-income persons would actually</p>	<p>Revised text on page 7-71 to Analysis of Development Potential Versus Projected Housing Need as shown below:</p> <p><u>“Zoning to Accommodate Housing Affordable to Lower Income Households</u></p> <p><u>As mentioned above, the City has a large supply of vacant sites with PD</u></p>	

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		be able to be built in these zones.	<p><u>3000 designation that are suitable to meet the City's fair share allocation of very low- and low-income housing units. The PD 3000 designation allows for an equivalent of up to 15 dwelling units per acre, which is lower than the City's "default" density of 20 dwelling units per acre. The City's default density is an assumed density provided by HCD that is sufficient to use for analyzing available sites to meet the housing needs of lower-income households. Because the City's allowable density in the PD 3000 zone is lower than their default density, a thorough analysis of market demand/trends, financial feasibility, and recent development experience in the PD 3000 zone must be provided to demonstrate that lower income housing production is feasible in this zone.</u></p> <p><u>Market Demand/Trend</u></p> <p><u>Between 2005 and 2008 the City experienced a dramatic slowdown in residential development activity. In 2005 the City issued 133 multifamily building permits and by 2008 the number of multifamily permits declined by 92 percent to 11 permits. However, there are 3 larger scale</u></p>	

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			<p><u>projects in the development pipeline that are located in the PD 3000 zone. Villa de Roma is proposed to develop on approximately 15 acres with 180 single family homes achieving a density of 12 dwelling units per acre. Foxglove Apartments (180 units) are also planned to achieve a density of 12 dwelling units per acre. Additionally, Arbor Point is planned to develop at roughly 13 dwelling units per acre and will provide an additional 65 multifamily units (64 affordable and 1 manager) to the City's housing stock. Each of the three developments described will provide a mixture of housing types (single family, market rate multifamily, and affordable multifamily) in the City's PD 3000 zone, which demonstrates that a variety of housing demands are achieved in the PD 3000 zone.</u></p> <p><u>Financial Feasibility</u></p> <p><u>As previously discussed, the Arbor Point project is proposed to be developed as a 100 percent affordable housing project. Upon completion, Arbor Point will achieve a density of 13 dwelling units per acre. According to the developer, Pacific Companies and the Housing Authority of the City of</u></p>	

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			<p><u>Madera (co-partner in the project) the maximum dwelling units per acre (15) in the PD 3000 zone is sufficient to achieve economies of scale that allow developers to provide affordable housing units. Therefore, allowed density in the PD 3000 zone facilitates the development of housing affordable to lower income households.</u></p> <p><u>According to the City and local developers, the price of raw land in Madera remains to be less expensive than overall construction costs, which allows developers to construct multifamily housing with units affordable to lower income households at allowed densities in the PD 3000 zone. Three story developments are permitted and encouraged by the City but developers typically only build up to two stories at 80 percent (12 du/ac) of the maximum allowed density (15 du/ac) due to the relatively low cost of land. In addition, a third story often requires the installment of elevators, which also add to the overall cost of the development.</u></p> <p><u>Recent Development Experience</u></p> <p><u>As shown in the vacant sites inventory</u></p>	

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			<p><u>located in Appendix A, the City has a large supply of vacant PD 3000 sites sufficient to meet the future demand for housing affordable to lower- income households. The planned Arbor Point development provides an example of affordable housing development in the PD 3000 zone. In addition to the allowed density of housing developments in the PD 3000 zone, flexible regulations of Planned Unit Development's (PUD) encourage the development of affordable housing.</u>"</p> <p>[underline added to show revised text]</p>	
California HCD	K-4	<p>d. Zoning for Emergency Shelters</p> <p>i. The City's proposed zoning limits emergency shelters to 6 beds so element must discuss appropriateness of the 6 bed maximum including its impact on the development of emergency shelters or identify zoning that allows larger shelters without discretionary review.</p>	<p><u>Revised text added to page 7-91 as shown below:</u></p> <p><u>"However, the City must provide for shelters for more than 6 persons as well. Action Item H-4.4.1 commits the City to an amendment of its zoning ordinance to ensure compliance with SB 2 guidelines. As stated in Action Item H-4.4.1, a large amount (approximately 212 acres) of Heavy Commercial (C-2) land is vacant and available in the City. The C-2 district is an appropriate zone to permit emergency shelters because it is proximal to transportation corridors and</u></p>	

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			<p><u>it permits a variety of retail and other services that are permitted in the Light Commercial (C-1) district such as barber services, banks, drug stores, food store, offices, restaurants, laundromats and a variety of others uses.</u></p> <p><u>The City has set forth six criteria for the administrative review of emergency shelters. Each provision is set to ensure consistency with local ordinances and state health and safety standards and is compliant with the requirements of SB 2.</u> [underline added to show revised text]</p>	
California HCD	K-5	<p>2. Analyze potential and actual governmental constraints</p> <p>a. Land Use Controls and Permit Processing</p> <p>i. Provide more detail about the land use control and permit procedures</p>	<p>Revised text added to Processing and Permit Procedures on page 7-104 as shown below:</p> <p><u>"The review of a precise plan for a PUD zone district is essentially the same review as in a standard site plan review for other zone districts; both look at the same issues of design, neighborhood compatibility, and functionality. However, rather than having to hold to the standard development criteria of a given zone, Planned Unit Developments "PUD" zone districts allows projects to be developed in</u></p>	

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			<p><u>consideration of the context of the specific site and the project's design features. The City's standards are allowed to be replaced with provisions that allow for more creative and efficient use of space and resources such as clustering, density transfers, reduced setbacks, shared facilities, etc. The City also has provisions that allow special needs housing to increase densities and decrease requirements such as parking and open space. This tool allows developers to utilize new innovations in designs and technologies to create quality housing without being solely limited to status-quo development regulations.</u></p> <p><u>Homes in the PUD zone districts typically are developed as one or two story units, but there are no height restrictions. The PUD zones require open space equal to the R-3 zone district (750 sq.ft. /unit). However, PUD zones do not have the minimum dimension requirements as in all other residential zone districts. Parking requirements are the same for all residential zones, but may be reduced in a precise plan if the type and design of the project warrant it.</u></p>	

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			<p><u>Processing of precise plans generally take 4-6 weeks from submission to Planning Commission Decision. This is slightly longer than processing a by-right application in a non PUD zone district (3-4 weeks). Projects that are concerned with expediting the required approvals necessary to begin construction are allowed to process the checking of improvement plans simultaneously, which takes the same amount of time or longer than the approval of a precise plan. Hence, a precise plan does not delay development. The cost to process a precise plan is actually slightly less (\$100) than processing a site plan in a non PUD zone district.</u></p> <p><u>Overall a PUD zone district allows development more flexibility and can reduce unneeded development requirements. The processing does not cost any more than the standard development process or delay final construction approval.</u>" [underline added to show revised text]</p>	
California HCD	K-6	<p>b. Constraints of Persons with Disabilities</p> <p>i. More complete analysis of</p>	Revised text added to Persons with Disabilities section on page 7-93 as shown below:	

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		<p>zoning, development standards and building codes and approval procedures stated in the element (even if they are not constraints).</p>	<p><u>“There are no restrictions on the location of any group care homes in the City and there are no special conditions specifically for larger group homes. Even though a conditional use permit is required, the same public notices are posted as other use permits. Additionally, the City has occupancy standards for unrelated persons with a family definition as follows: “one or more persons living as a single housekeeping unit in a dwelling unit, including necessary domestic servants”.</u></p> <p><u>Other potential constraints on housing for persons with disabilities are not present in the City including: the City continually monitors its zoning laws, policies and practices for compliance with fair housing law and will continue to maintain compliance through the implementation of the programs under Policy H-4.9. The City allows reductions in parking requirements for developments that contain special needs housing. The City has adopted the 2007/2008 Uniform Building Code and has not added any local provisions. While it has considered universal design elements, the City has not</u></p>	

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			<p><u>adopted these into its code.</u> <u>Discussions relative to this type of amendment are in their infant stages and are ongoing.</u></p> <p><u>If a person with a disability wants to request housing retrofit for accessibility, they must apply for a building permit.</u></p> <p>AND</p> <p><u>Per Action Item H-4.7.1, the City will develop a formalized reasonable accommodation procedure to remove constraint on housing for persons with disabilities and will make information available about requesting reasonable accommodation.”</u> [underline added to show revised text]</p>	
		<p>B. Housing Programs</p> <p>1. Where inventory of sites does not identify adequate capacity to meet needs of all households, programs shall be provided to provide sufficient sites.</p> <p>a. As noted in finding A-1, the element does not include a complete sites analysis and therefore, the adequacy of sites and zoning have not been established. Based on the</p>		<p>Existing inventory of sites is adequate; no additional programs were needed.</p>

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		<p>results of a complete sites inventory and analysis, the City may need to add or revise programs such as the following:</p>		
		<p>i. Program H-4.4.1 (Emergency Shelters) – needs revision as discussed in A.1.d above.</p>	<p>Revised text added to Action Item H-4.4.1 as shown below:</p> <p><u>“To ensure compliance with Chapter 633, Statutes of 2007 (SB 2), the City will amend its zoning ordinance to explicitly allow for emergency shelters by providing a definition of “emergency shelter” as included in the California Health and Safety Code Section 5080.1, which is “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.”</u></p> <p><u>The City shall also amend its zoning ordinance to administratively allow emergency homeless shelters in the C-2 (Heavy Commercial) zone district in accordance with Government Code Section 65582 subject to the following criteria:</u></p> <ul style="list-style-type: none"> • Shelters shall not be located within 	

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			<p><u>300 feet of another Shelter.</u></p> <ul style="list-style-type: none"> • <u>Shelters shall limit the duration of individual's stays to preclude long term housing.</u> • <u>Shelters shall be limited to a maximum occupancy of 30 beds or less.</u> • <u>Shelter shall have qualified supervision on site during all hours of operation.</u> • <u>Shelter facilities shall have adequate lighting and security features to deter criminal activity at its facilities.</u> • <u>Shelters shall not be located within 2,000 feet of any public or private school or park, or any designated facility where children gather.</u> <p><u>The C-2 (Heavy Commercial) zone is appropriate for this use as it allows for a variety of retail and other service uses that accommodate the needs of residents of emergency shelters. There are approximately 212 acres of vacant C-2 land, much of which is located along major transportation corridors."</u> [underline added to show revised text]</p>	

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California HCD	K-7	ii. Program H-4.4.4 (Transitional and Supportive Housing) – clarification is needed that these are allowed as residential uses and not just limited to residential care home.	Revised text added to Action Item H-4.4.4 as shown below: “Transitional and supportive housing types are also considered under the “foster homes, rehabilitation facilities, day care centers, and other related facilities which provide housing for six or fewer unrelated persons” category and are allowed without review in all residential zones. However, to ensure compliance with SB 2, the City will add specific definitions of both “transitional” and “supportive” housing as defined in Sections 50675.2 and 50675.14, respectively, of the Health and Safety Code, <u>which does not specify the number of persons,</u> and will ensure both housing types are regulated the same as other uses of the same type in the same zone.” [underline added to show revised text]	
California HCD	K-8	2. Programs which assist in the development of adequate housing for extremely low-, very low-, low-, and moderate-income households. a. Extremely Low income	Text for two new Action Items (H-4.5.2 and H-4.5.3) were added following Action Item H-4.5.1 as shown below: <u>“To support the creation of housing affordable to extremely low-income households. The City shall continue to</u>	

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		<p>i. Expand existing or add new programs to specifically assist extremely low-income households. The element could revise program to prioritize funding for development of housing affordable to ELI households and/or offer financial incentives or regulatory concessions to encourage the development of housing types, such as SRO's. For example revise Action H-4.5.1 to encourage and provide financial incentives for SRO development.</p>	<p><u>seek and pursue state and federal funds annually, or as funding becomes available, and will prioritize a portion of the redevelopment set-aside funds to encourage the development of extremely-low income housing.</u></p> <p><u>Responsibility: Community Development Department, Grants Department and Redevelopment Agency</u></p> <p><u>Funding Source: City General Fund (staff time) and RDA set-aside funds</u></p> <p><u>Time Frame: August 2010</u></p> <p>AND</p> <p>Action Item H-#</p> <p><u>Use state and federal programs for which the City would be the applicant, or a co-sponsor, and work with nonprofit and for-profit developers to make use of those programs directed to homebuilders. In particular, the City will seek available funding or support funding applications by others to provide for housing for extremely- low income households, including transitional housing. For some of these programs, the City would act as a sponsor for an interested developer.</u></p>	

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			<p><u>Specific programs which the City may use, funding permitting, are:</u></p> <ul style="list-style-type: none"> • <u>Community Development Block Grant Program:</u> • <u>California Rental Housing Construction Program,</u> • <u>California Housing Finance Agency programs,</u> • <u>Department of Housing and Urban Development programs to finance housing, and</u> • <u>State and federal programs aimed at providing housing and related services to homeless individuals."</u> <p>[underline added to show revised text]</p>	
California HCD	K-9	<p>b. Farmworkers</p> <p>i. Given there may be a significant number of workers in Madera, the element should include a program committing the City to collaborate with ag employers to identify sites and pursue funding through USDA Rural Development</p>	<p>Text added for new Action Item H-4.8.3 as shown below:</p> <p><u>"The City will work closely with local agricultural employers to identify sites appropriate for farmworker housing and available funding sources, through the State Department of Housing and Community Development and United States Department of Agriculture's</u></p>	

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		program.	<u>Rural Development programs when necessary.</u> <u>Responsibility: Community Development Department</u> <u>Funding Source: City General Fund (staff time)</u> <u>Time Frame: Ongoing on an as-needed basis”</u> [underline added to show revised text]	
California HCD	K-10	c. Foreclosures i. Since Madera received \$998,580 in NSP, the element should have a program describing how the City will address foreclosures and how the NSP funds will be used to do so.	Revised text added to Housing Programs section following the Owner Occupied Rehabilitation narrative on page 7-74 as shown below: <u>“Abandoned Real Property Registration</u> <u>The City recently adopted an ordinance that established a foreclosure monitoring program to prevent potential blight from abandoned properties in the City. The ordinance requires property owners to register their property if it is in any stage of the foreclosure process and is abandoned. Once a property enters into foreclosure, its owner or trustee must inspect it monthly and if it becomes vacant, they must register the property with the City’s Neighborhood Revitalization Coordinator within ten</u>	

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			<p><u>days. This requirement remains in effect and an annual registration fee will apply as long as the property is vacant. While the property is vacant, the owner or trustee must ensure the property is maintained and secure and must post a 24-hour contact information for people to call to report any problems at the property. If maintenance and security requirements are not met, a fine of \$1000 per day will be issued. The money collected from fine payments will help pay for the administration of the program. Neighborhood revitalization staff monitor properties in the City on a proactive basis as part of this program. As of May 2009, 100 properties were registered and zero fines had been issued.</u></p> <p><u>Neighborhood Stabilization Program (NSP)</u></p> <p><u>The City has also submitted an application for NSP funds in cooperation with the City of Chowchilla. The proposed use of funds is to purchase abandoned and foreclosed properties and rehabilitate the units and/or to assist the RDA in acquiring properties and rehabilitate as needed in the Hughes Neighborhood Network</u></p>	

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			<p><u>(defined by Pine, Olive, Sunset Avenue, and Highway 99).</u></p> <p><u>The proposed program would expand the City's first time homebuyer program that is HOME funded with some additional criteria for the NSP-funded loans. The loans are provided in the form of deferred payment "silent" second priority loans as "gap" financing toward the purchase price and closing costs of affordable housing units. While the HOME funded loans are available to households with low incomes (up to 80 percent of AMI), the NSP-funded loans may be awarded to moderate-income households earning up to 120 percent of AMI. NSP-funded loans may not be granted for homes built prior to 1978. If repairs to meet health and safety standards or code violations are needed, they must be addressed before the close of escrow or the homebuyer has the option to use up to \$30,000 of their homebuyer loan (in contrast to only \$10,000 if HOME-funded) to make the necessary repairs. These repairs must be made no later than 6 months after the close of escrow."</u></p>	

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			[underline added to show revised text]	
California HCD	K-11	<p>d. Update Density Bonus Ordinance</p> <p>i. City should update Density Bonus Ordinance with State density bonus.</p>	<p>Additional language added on page 7-85 and new Action Item (H-1.2.4) added following existing H-1.2.3 as shown below:</p> <p><u>"In 2004, Senate Bill (SB) 1818 altered the state density bonus provisions throughout the state. Effective January 1, 2005, SB 1818 increased the maximum bonus from 25 to 35 percent and changed the eligibility thresholds for projects. It also required localities to grant additional incentives and allowed bonuses for land donation. Under the new density bonus law, there are provisions for projects that include affordable housing (to low- and very low-income), senior housing, donations of land, condominium conversions, and child care facilities. The law also allows for concessions and incentives, waivers and reductions or reduced parking requirements. A developer may apply for one to three concessions or incentives on a sliding scale depending on how many affordable units are proposed. The concessions are: reduction in site development standards and modifications of zoning</u></p>	

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			<p><u>and architectural design requirements, mixed use zoning or other regulatory incentives or concessions. In addition, a developer may ask for waivers of any number of development standards if they can demonstrate the waiver is needed to make the project economically feasible. A reduction in parking requirements is also allowed for senior projects or developments that provide affordable units.</u></p> <p><u>Action Item H-1.2.4</u></p> <p><u>The City will ensure compliance with the State Density Bonus by amending its Zoning Ordinance to reflect the provisions of the 2004 amendment to State Density Bonus law.</u></p> <p><u>Responsibility: Community Development Department</u></p> <p><u>Funding Source: City General Fund</u></p> <p><u>Time Frame: By September 2010"</u></p> <p>[underline added to show revised text]</p>	
California HCD	K-12	<p>3. Address removal of governmental constraints.</p> <p>a. Constraints Program</p> <p>i. As noted in A2, element</p>		No revisions needed.

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		needs further analysis of potential governmental constraints. Depending on this, more program may be needed.		
California HCD	K-13	<p>4. At-risk unit preservation</p> <p>a. Revision of existing Programs</p> <p>i. Needs to add more specific actions to programs H-3.1.1 and H-3.1.2</p>	<p>Revised text made to Action Item H-3.1.1 and Action Item H-3.1.2 as shown below:</p> <p>“The City, in cooperation with the Housing Authority, shall <u>facilitate tenant education for residents of at-risk development as a part of an</u> early warning system for tenants who are living in assisted housing units that are two years away from potentially converting to market-rate units.</p> <p>Action Item H-3.1.2</p> <p>The City, in cooperation with the Housing Authority, <u>shall respond to notices of intent to pre-pay and will meet with</u> property owners of local subsidized housing units when a project is at risk of converting to market rate. The City will contact the owners about their plans and, as necessary, identify potential buyers and possible sources of funding <u>and will facilitate tenant education efforts.</u>” [underline added to show revised text]</p>	

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Comment Letter 1 - Richard Harriman, Law Offices of Richard L. Harriman on behalf of Valley Advocates, June 29, 2009				
Harriman/ Valley Advocates	1-1	<i>Please see the FEIR Response to Comments</i>		
Harriman/ Valley Advocates	1-2	<i>Summary:</i> The commenter notes that Village J is titled the "Casino District"	To eliminate confusion, this district has been renamed as the "Airport North District." The text of the Land Use Element has been revised in a number of locations to reflect this change.	
Harriman/ Valley Advocates	1-3	<i>Summary:</i> The commenter quotes from the Land Use Element regarding the Village Reserve land use designation and its associated planning process, and notes that development of a casino would require that the site is taken into trust by the U.S. Bureau of Indian Affairs.		See response to comment 1-2. To eliminate the appearance of a City endorsement of the casino project, District J has been renamed as the "Airport North District."
Harriman/ Valley Advocates	1-4	<i>Summary:</i> The commenter summarizes the Village Reserve district's land use provisions, references a Memorandum of Understanding between the City and the tribal government seeking to construct the casino, and calls the Casino District a "Trojan Horse" to		See response to comment 1-2 regarding the renaming of this District. The City also notes that Land Use Policy LU-34 specifically notes that the comprehensive planning process for the Village Reserve land use designation would be subject to requirements for additional

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		avoid environmental analysis.		environmental analysis.
Harriman/ Valley Advocates	1-5	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Harriman/ Valley Advocates	1-6	<i>Summary:</i> The commenter summarizes the Governor's proclamation of public policy related to tribal gaming, and asserts that no evidence is provided that the "Casino Project" complies with the provisions of the Proclamation.		See response to comment 1-2. The City is not considering a "Casino Project" at this time, and the name of the District has been changed to "Airport North" to eliminate the apparent confusion regarding the status of the casino proposal.
Harriman/ Valley Advocates	1-7	<i>Summary:</i> The commenter suggests that the General Plan and EIR include references to City policies regarding extension of City services outside its corporate boundaries.		The Circulation and Infrastructure and Land Use elements include detailed policies addressing these issues, including: <ul style="list-style-type: none"> • CI-44 • CI-47 • LU-13 • LU-14 • LU-15 • LU-17
Harriman/ Valley	1-8	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		

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Advocates				
Harriman/ Valley Advocates	1-9	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Harriman/ Valley Advocates	1-10	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Harriman/ Valley Advocates	1-11	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Harriman/ Valley Advocates	1-12	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Harriman/ Valley Advocates	1-13	<i>Summary:</i> The commenter suggests that the Noise Element should include a Noise Contour Map.		The City notes that detailed information identifying the location of noise contours adjacent to major roadways is included in Table N-A. This information is more accurate and useful than the same information would be if shown in mapped form, and is consistent with the format used in numerous other City and County General Plans throughout California. In addition, the Noise Element includes Figures N-1 and N-2, which

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				provide noise contours for the freeway and the Madera Raceway. The Noise Element (Policy N-15) also directs the reader to the Airport Land Use Compatibility Plan for the Madera Airport for updated information on noise contours for the airport.
Harriman/ Valley Advocates	1-14	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Comment Letter 2 - Steve Weil, Horizon Enterprises, February 2, 2009				
Steve Weil	2-1	The commenter suggested changes to the Circulation Map.		Comment noted. The loop described in the comment may ultimately be appropriate to ensure adequate access to properties north of Avenue 17, west of Freeway 99. However, the details of the alignment of new roadways and intersection configurations will need to be determined in a project study report for the improvement to the State Route 99/Avenue 17 interchange. This study was under way at the time this response was being prepared.
Comment Letter 3 – Rob Poythress, May 31, 2009				

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Rob Poythress	3-1	The commenter suggests that information in the Historic and Cultural Resources Element is incomplete and biased.	The "text box" beginning on page 10-5 of the Historic and Cultural Resources Element has been removed.	The City recognizes that controversy or disagreement exists among various parties over some aspects of the history of Madera. At this time, the City has decided to abstain from including detailed information in the General Plan until a resolution among the parties is achieved.
Comment Letter 4 – Chowchilla Tribe of Yokuts (undated)				
Chowchilla Tribe of Yokuts	4-1	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Chowchilla Tribe of Yokuts	4-2	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Chowchilla Tribe of Yokuts	4-3	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Chowchilla Tribe of Yokuts	4-4	The commenter suggests that information on Indian tribes in the General Plan is incorrect.	The "text box" beginning on page 10-5 of the Historic and Cultural Resources Element has been removed.	The City recognizes that controversy or disagreement exists among various parties over some aspects of the history of Madera. At this time, the City has decided to abstain from including detailed information in the General Plan until a resolution among

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				the parties is achieved.
Comment Letter 5 – Picayune Rancheria of the Chukchansi Indians, July 30, 2009				
Chukchansi Indians	5-1	<i>No comments on the Draft General Plan. Please see the FEIR Response to Comments.</i>		
Chukchansi Indians	5-2	The commenter suggests that information on Indian tribes in the General Plan is incorrect.	The “text box” beginning on page 10-5 of the Historic and Cultural Resources Element has been removed.	The City recognizes that controversy or disagreement exists among various parties over some aspects of the history of Madera. At this time, the City has decided to abstain from including detailed information in the General Plan until a resolution among the parties is achieved.
Chukchansi Indians	5-3	The commenter suggests revisions to Historic and Cultural Resources Policy HC-9 and the addition of a new Action Item.	<p>Policy HC-9 has been revised as follows:</p> <p>“Policy HC-9: The City will endeavor to protect and preserve prehistoric and historic archaeological resources, <u>cultural resources (particularly those of importance to existing tribes)</u>, and fossils.” [underline added to show new text]</p> <p>The following Action Item has been added:</p> <p>“Action Item HC-9.3: <u>The City will work with area tribes to develop</u></p>	

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			<u>updated standards for cultural resource surveys, as well as a process for obtaining the input of tribes in the development review process when cultural resources are involved.</u>	
Comments from City Staff, July 22, 2009				
<i>Note: Additional staff comments resulted in minor, "proofreading"-type changes to the text of the General Plan and are not shown here. The comments shown below affect key text and/or revise the wording of goals, policies, or action items.</i>				
Staff	Page 3-11	Revise Goal CD-13 to apply to Industrial Development" rather than "Light Industrial Development" to be consistent with Statement on Page 3-30 & Policies CD-62-65	"Goal CD-13: Well-Designed Light Industrial Development" [strikeout/underline added to show changes]	
Staff	Page 3-15	Change word in first sentence of Policy CD-11	"Policy CD-11: The places where major roadways enter Madera <u>the City</u> should provide a clear sense of arrival and set the tone for the overall design quality in Madera." [strikeout/underline added to show changes]	
Staff	Page 3-19	Policy CD 22 Revise language	"Policy CD-22: Significant-Com- mercial developments should have public open space areas such as plazas, courtyards, expanded walkways, or other areas suitable for small gatherings. <u>The facilities should be sized proportionate to the scale of</u>	

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			<u>the development.</u> [strikeout/underline added to show changes]	
Staff	Page 3-19	Revise Policy CD-23 to delete extra words.	“.....that walls are the only feasible solution to provide to address safety, noise....” [strikeout/underline added to show changes]	
Staff	Page 3-22	Revised Action Item 33.1 to allow for flexibility in the selection of facades by homebuyers.	Revise (replace) Action Item 33.1: “Action Item 33.1: Final home designs shall be approved by the City prior to recordation of Final Subdivision Maps, Exterior variations in materials and elevations which are used to implement Policy CD-31 shall be included in the standard designs of units and shall not be offered as “options” or “upgrades.” <u>including any façade or building treatment alternatives that are designed to be utilized with each design. When builders propose to utilize façade or building treatment alternatives to implement Policy CD-33, every home constructed shall incorporate one of the approved facades or exterior treatment packages. Builders may not offer the alternative for buyers to opt for a “base” or “standard” model which fails to provide variation and</u>	

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			<u>articulation in the exterior elevation.</u> [strikeout/underline added to show changes]	
Staff	Page 3-22	Reword Policy CD-34 to remove redundancy and add clarity.	Revise (replace) Policy CD-34 “The exterior of residential buildings shall reflect <u>attention to detail as necessary to produce</u> high architectural design and construction quality with attention to detail in both design and construction and shall contain full architectural treatment as . <u>Where side and/or rear exterior elevations of residential buildings are visible from nearby streets or public rights of way, they shall incorporate architectural treatments in keeping with the front (primary) elevation.</u> ”	
Staff	Page 4-20	Revise Policies CI-15 and CI-16, which apparently address the same issue.	Revised Policy CI-15 as follows, and delete Policy CI-16: “ Policy CI-15: To the extent possible, major traffic routes for residential areas should be separate from those used by the city’s industrial areas, with the purpose of avoiding traffic conflicts and potential safety problems. <u>Residential areas should not be accessed primarily through an industrial area, even if residential and</u>	

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			<u>industrial traffic are not in conflict.</u> [underline added to show new text]	
Staff	Chapter 4, Water Service Policies	Add a new Policy addressing requirement for looped water systems.	Add the following Water Service Policy: “ Policy CI-##: Development projects shall be served by a looped water system, whereby no less than two separate water mains (or ideally two water sources) are connected, thereby enabling adequate fire flow to be maintained should one water main be removed from service. The City may allow development to proceed without connection to a looped water system when it determines that such connection is infeasible based on the specific circumstances associated with the project, and where a water system analysis shows sufficient fire flow is available.”	
Staff	Chapter 4, General Infrastructure Policies	Add a new Policy addressing placement of utilities underground.	Add the following Policy & Action Items: “ Policy CI-##: To improve the appearance of the City’s commercial and residential neighborhoods, the City will require that all utility lines be placed underground in conjunction with new development projects, unless	

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			<p>determined by the City to be infeasible. Additionally, the City will seek to place existing above-ground utility lines underground in the parts of the City which have been largely built-out.</p> <p>Action Item CI-##.1: Consider adoption of a program for the undergrounding of existing utility lines. The program should establish priorities and address issues associated with undergrounding, including:</p> <ul style="list-style-type: none"> • Timing, phasing, and priorities • Guidelines and standards • Cost and financing • Fee exemptions for low-income and other special needs households <p>Action Item CI-##.1: Consider amending the City's codes as appropriate to provide clear standards and requirements for the undergrounding of existing utility lines when adjacent properties are developed or redeveloped. Issues to be addressed may include:</p>	

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			<ul style="list-style-type: none"> • Thresholds for requiring undergrounding of utility lines • Fees or waivers in lieu of placing lines underground” 	
Staff	Land Use Map – Figure LU-2	Land Use Map shows many varieties of commercial land use designations, while narrative in Land Use Element describes only Commercial and Office.	The commercial designations on the Land Use Map have been consolidated into one category (“Commercial”) to be consistent with the land use categories defined in Policy LU-23 in the Land Use Element.	The analysis of traffic and other issues in the General Plan EIR was based on a single Commercial land use category. No change to the analysis in the EIR is needed as a result of this change to the Land Use Map.
Staff	Land Use Map – Figure LU-2	Land Use Map should be revised to reflect changes to residential patterns	Land uses on the East Side and Southwest have been revised. Please see the attached Land Use Map for details.	The analysis of traffic and other issues in the General Plan EIR was based on higher residential densities than are shown in the modified Land Use Map. Therefore, the analysis in the EIR represents a “worst case” scenario. No change to the analysis in the EIR is needed as a result of this change to the Land Use Map.
Staff	Page 9-9 Policy N-1	Point 3 - Reword policy to avoid potential for it to appear that noise study will be triggered by any increase in noise.	<p>Add the following after item (3) of Policy N-1:</p> <p>“The analysis may be accomplished by reviewing available noise data, by requiring additional information on potential noise that would be created, or by a noise analysis prepared as</p>	

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			part of the project's environmental analysis. Roadway projects which are consistent with the Circulation Map in this General Plan will generally not require the preparation of a noise analysis."	
Staff	Page 11-7	Make word change in introductory paragraph under Parks & Recreation Goals	Revise text of Policy PR-2 as follows: ".....which set out a number of specific steps that would be followed to create an expanded <u>enhanced</u> parks and recreation system." [strikeout/underline added to show changes]	
Staff	Page 11-12	Paragraph 3 under "Public Park Type: Special Use Facility" (part of Policy PR-2) needs to be revised to be consistent with the Parks and Recreation Master Plan.	Revise text of Policy PR-2 as follows: "The City has one special-use facility: an 18-hole municipal golf course immediately west of the airport. The facility is owned and managed by the City and available for special events. The City collects a fee for use and provides programming (i.e., classes) at the facility. <u>The public facility is owned by the City and is operated as a daily fee course. In addition to golf, the facility also offers banquet facilities on a rental basis.</u> " [strikeout/underline added to show changes]	

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Staff	Page 11-13	First sentence of second-to-last paragraph (part of Policy PR-2) needs to be modified.	Revise Policy PR-2 as follows: “The City’s standard is to provide 0.5 linear miles of trail per 1000 population, or as needed to provide adequate connections to parks and <u>other centers of activity.</u> ” [strikeout/underline added to show changes]	
Staff	Page 11-16	Second paragraph (part of Policy PR-2) needs to be modified.	Revise Policy PR-2 as follows: “Pocket parks built after 2009 will be maintained through a private entity such as a homeowners association <u>or through a landscape, lighting, and maintenance district.</u> [strikeout/underline added to show changes]	
Staff	Page 11-20	Modify Policy PR-7	Revised Policy PR-7 as follows: “The development of parks in <u>newly developing growth</u> areas of the City, where development <u>residential projects</u> triggers the need for a new park(s), shall be phased and/or timed <u>so that with the goal of meeting</u> the standards of this Element and the Parks and Recreation Master Plan are met or exceeded at all times. In no case shall parks in a n <u>New</u> development <u>should be phased or</u>	

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			<p>timed in such a way <u>as to avoid situations where</u> that insufficient park or other facilities are provided either permanently or temporarily. The City recognizes that this may require the development of parks or other facilities larger than will be needed at the time in order to ensure that standards will be maintained as future residential development occurs." [strikeout/underline added to show changes]</p>	
Staff	Page 11-23	Revise Policy PR-16	<p>Revise Policy PR-16 as follows: "The City shall <u>endeavor to</u> improve access and connectivity to parks through provision of sidewalks, bike paths, bike lanes, and bridges where appropriate." [strikeout/underline added to show changes]</p>	
Staff	Page 11-23	Revise Policy PR-19	<p>Revised Policy PR-19 as follows: "The City shall expand its system of multi-use paths and trails available for transportation and recreation uses to achieve <u>with the goal of achieving</u> a service level of 0.5 linear miles of trails per 1,000 residents." [strikeout/underline added to show changes]</p>	

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Staff	Page 11-25	Revise Policy PR-24 to apply to a broader range of public spaces.	Revise Policy PR-24 as follows: “The City shall continue private and public partnerships to provide and maintain <u>a variety of public spaces, including</u> community gardens as areas where residents can plant and grow local fruit and vegetables or plant ornamental gardens that can be a source of private and beauty in a neighborhood.” [strikeout/underline added to show changes]	
Staff	Page 11-28	Revise Policy PR-30	Revise Policy PR-30 as follows: “The City shall implement the Recreation Facility Design Standards included in the Parks and Recreation Master Plan. All new and renovated park and recreation facilities shall conform with the City’s park classifications, levels of service standards, and recreation facility guidelines. ” [strikeout/underline added to show changes]	
Staff	Page 11-28	Revise Policy PR-31	Revise Policy PR-31 as follows: “The City shall ensure that parks are designed to meet the needs <u>of all of its residents, including</u> youth, seniors, and people with disabilities, and will	

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			regularly review the programs targeting these oriented towards groups with <u>focused interests and special needs</u> and revise them as appropriate." [strikeout/underline added to show changes]	
Staff/Airport Land Use Commission		Add new Village J policy to address Airport issues.	The following Policy has been added to the Village J discussion: "All development proposals within <u>Village J</u> which are subject to the <u>City's land use authority shall comply with the provisions of the Airport Land Use Master Plan. The establishment of land use designations at the village and neighborhood levels, as well as the layouts of individual projects, shall reflect the allowable uses and densities in the Airport Land Use Master Plan.</u> "	
Staff/Airport Land Use Commission		Modify Policy HS-31z	Health and Safety Policy HS-31 has been modified as follows: " Policy HS-31: The City shall consider the compatibility criteria in the Airport Land Use Compatibility Plan for the Madera Airport and the Madera Municipal Airport Master Plan in the review of potential land uses or projects. <u>Projects shall be approved</u>	

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			<p><u>only where consistency with the compatibility criteria in the Airport Land Use Compatibility Plan can be demonstrated. These criteria are included as Appendix # to this General Plan.</u></p>	
Staff/Airport Land Use Commission		Add new Action Item for Policy HS-31.	<p>New Action Item HS-31.1 has been added as follows:</p> <p><u>“Action Item HS-31.1: Review projects to ensure consistency with Airport Land Use Compatibility Plan and the Madera Municipal Airport Master Plan compatibility criteria at the earliest possible stage of the planning/entitlement process. A determination on consistency shall be made by the entity (City Council, Planning Commission, Staff) given authority to approve the project pursuant to the zoning ordinance.”</u></p>	
Staff/Airport Land Use Commission		Add new Action Item for Policy HS-31.	<p>New Action Item HS-31.2 has been added as follows:</p> <p><u>“Action Item HS-31.2: Establish and maintain a geographic information system to identify all parcels within the airport influence area and establish a</u></p>	

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			<p><u>standard review checklist applicable to those projects which includes references to the airport compatibility criteria.</u></p>	
Staff/Airport Land Use Commission		Modify Policy HS-32.	<p>Health and Safety Policy HS-32 has been modified as follows:</p> <p>“Policy HS-32: The City shall ensure that new development near the Madera Airport is designed to protect public safety from airport operations consistent with recommendations and requirements of the Airport Land Use Commission, the Federal Aviation Administration, and other responsible agencies. <u>It shall be the City’s intent to comply with all State laws related to airport land use planning.</u>” [underline added to show new text]</p>	