

Notice of Exemption

Appendix E

To Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: *(Public Agency)*

City of Madera
205 W. Fourth St.
Madera, CA 93637

County Clerk
County of Madera
205 W. Fourth St.
Madera, CA 93637

Project Title Conditional Use Permit (CUP) 2024-17 and Site Plan Review (SPR) 2024-27 Taco Bull's

Project Location - Specific 1801 W. Cleveland Ave.

Assessor's Parcel Number: 013-110-010

Project Location - City Madera

Project Location - County Madera

Description of Nature, Purpose, and Beneficiaries of Project Conditional Use Permit (CUP) 2024-17 and Site Plan Review (SPR) 2024-27 for the semi-permanent operation of a mobile food preparation unit on private commercial property within the C2 (Heavy Commercial) zone district

Name of Public Agency Approving Project City of Madera

Name of Person or Agency Carrying Out Project Taco Bull's

Exempt Status (check one)

- ☐ Ministerial (Sec. 21080 (b) (1); 15268);
- ☐ Declared Emergency (sec. 21080(b)(3); 15269(a);
- ☐ Emergency Project (Sec. 21080(b) (4); 15269(b) (c)).
- ☒ Categorical Exemption – Sec. 15311 Accessory Structures
- ☐ Statutory Exemption – State code number:

Reasons why project is exempt CEQA provides several “categorical exemptions” which are applicable categories of projects and activities that the Lead Agency has determined generally do not pose a risk of significant impacts on the environment. The project consists of a Conditional Use Permit and a Site Plan Review for the use and semi-permanent operation of food preparation unit on private commercial property within the c2 (Heavy Commercial) Zoning District in the City of Madera. The project is exempt under Section 15311 (Class 11 – Accessory Structures) of the State CEQA Guidelines. This project meets the conditions for the state exemptions described in Section 15311 of the State CEQA Guidelines as explained below.

The project is consistent with the applicable general plan designation, applicable policies and applicable zoning designation and regulations. The subject site is designated Commercial uses on the City of Madera General Plan Land Use Map and is zoned C2 (Heavy Commercial), which is consistent with the General Plan policies and all provisions of the City Municipal Code (CMC) Title 10, Chapter 3, Zoning in specifically with CMC §10-3.902.

The proposed semi-permanent operation of a mobile food preparation unit on private property will not create any

adverse impacts to the surrounding area will not generate any traffic as mobile food vending operations typically accommodate customers of the primary business.

With approval of the Conditional Use Permit the proposed semi-permanent mobile food preparation unit operation on private commercial property is permissible in the C2 (Heavy Commercial) zoning district.

The City has further considered whether the project is subject to any of the exceptions to the use of a categorical exemptions found at CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the following circumstances:

(a) for certain classes of projects (Classes 3,4,5,6 and 11) due to location where the project may impact an environmental resource or hazardous or critical concern;

The project site is not located in any area of sensitive and/or of critical concern. The project site is developed and has an existing commercial operation, and the surrounding area is also developed with existing commercial use.

(b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;

There is no evidence of a potential significant cumulative impact because successive projects of the same type in the same place have not been approved and are not currently proposed. The surrounding area is developed and is planned commercial development and zoned for heavy commercial for commercial uses and development and surrounded by existing commercial uses. The proposed semi-permanent mobile food preparation unit on private commercial property will not create any adverse situations to the surrounding area.

(c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;

There is no evidence of a reasonable possibility that the activity of the project will have a significant effect on the environment due to unusual circumstances. The surrounding area is developed and is planned commercial development and zoned for heavy commercial uses and development. The proposed semi-permanent operation of the mobile food preparation unit on private commercial property will not create any effects to the environment as the surrounding area contains existing commercial development.

(d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings rock croppings, or similar resources within a highway officially designated as a state scenic highway:

Does not apply to the project site as the site is not located adjacent to or visible from a designated scenic highway.

(e) where the project is located on a state designated hazardous waste site:

Does not apply as the project site is not designated as a state hazardous waste site. The project site is designated as a non-hazardous area as is all of the surrounding area.

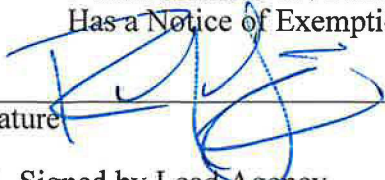
(f) where the project may cause a substantial adverse change in the significance of a historical resource.

Does not apply because there are no historic resources or structures located within or around the project site. For the reasons cited above, the project will not result in a significant environmental impact and qualifies for an exemption pursuant to Section 15311 of the California Environmental Quality Act (CEQA) Guidelines.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature



12/13/24

Date

Senior Planner

Title

- ☒ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR: _____