



Community and Economic Development Planning Division

Becky Beavers *BB*
Deputy Director

- 200 W. 4th Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

PLANNING COMMISSION DATE: May 1, 2018

AGENDA ITEM: #1

CUP	#2018-004	Conditional Use Permit to allow a Continuum of Care Senior Community
APN	# 064-080-073	Applicant: Garrett Shingu
CEQA	MND #2018-005	Owner: M. Lewis Inc., CA Corp
		Mitigated Negative Declaration

REQUEST:

The applicant is requesting a Conditional Use Permit to allow a Continuum of Care Senior Community consisting of 27 individual units (duplex/triplex), 27 apartments, 27 assisted living units and 27 memory care units.

LOCATION:

The property is located on the southwest corner of the intersection between Victoria Lane and Highway 41, Oakhurst.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2018-005) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit (CUP #2018-004) subject to conditions, the Mitigated Negative Declaration (MND #2018-005) and the mitigation monitoring program.

GENERAL PLAN DESIGNATION (Exhibit A-1):

SITE: HDR (High Density Residential) Designation

SURROUNDING: HDR (High Density Residential) and VLDR (Very Low Density Residential) Designations

OAKHURST AREA PLAN (Exhibit A-2):

SITE: HDR (High Density Residential) Designation

SURROUNDING: HDR (High Density Residential) and VLDR (Very Low Density Residential) Designations

ZONING (Exhibit B):

SITE: PDD (Planned, Development) District

SURROUNDING: RUS (Residential, Urban, Single Family), RRS-2½/MHA (Residential, Rural, Single Family-2½ Acre/Manufactured Housing Architectural Review Overlaid), RRM (Residential, Rural, Multiple Family), RMS (Residential, Mountain, Single Family) Districts

LAND USE:

SITE: Undeveloped

SURROUNDING: To the north, off Victoria Lane is a church, to the west, south and east is vacant land.

SIZE OF PROPERTY: 12.77 Acres

ACCESS: The property is accessed off Highway 41 by Victoria Lane and by Foothill Drive, Oakhurst.

BACKGROUND AND PRIOR ACTIONS:

At the December 18, 2007 meeting, the Planning Commission approved an Amended Tentative Subdivision Map to divide 12.77 acres into 15 residential lots and three outlots.

At the July 11, 2007 meeting, the Planning Commission approved a tentative subdivision map to divide 12.77 acres into 15 lots.

The subject property has been developed by Parcel Map. A series of five parcel maps (Exhibit G) were approved from 1967 to 1985. This proposal would subdivide Parcel 4 of Parcel Map 2561.

PROJECT DESCRIPTION:

The request is for a Conditional Use Permit to allow the development of a continuum of care, senior community. The project is the development of a senior living facility, to be fully-licensed as a Residential Care Facility for the Elderly. All care givers are continuously trained. The care givers in the memory care facility must be trained by a State approved training program. The project proposes 27 independent living units in the form of duplexes and one triplex. There will be seven (7) one bedroom, 900 square foot units with a one

car garage; 16 two bedroom, 1,100 square foot apartments with a one car garage; and four (4) two bedroom plus den, 1,250 square foot apartments with a two car garage. There will be 27 senior apartments in a two-story building comprising 40,000 square feet.

The facility will also have a 40,000 square foot, two-story assisted living and memory care facility. On the first floor there will be 27 beds for assisted living, a kitchen, dining room, activity room, lobby and community center. The second floor will accommodate 27 beds for memory care, a kitchen, dining room, and activity room.

The buildings will be spread out over a 12.77 acre parcel with internal paved roadways, 46 parking spaces and landscaping. Access to the site will be Victoria Lane. There will be 80 employees on three overlapping shifts.

ORDINANCES/POLICIES:

Section 18.67. of the Zoning Ordinance discusses the permitted uses within the PDD (Planned Development) Zone District. Allowable uses are related to the allowed uses in the underlying General Plan Designation.

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of Conditional Use Permits.

Madera County General Plan Policy Document (page 7) outlines the allowable uses within the HDR (High Density Residential) Designation.

ANALYSIS:

The project site is located in a sparsely populated area in Oakhurst. All other surrounding properties are vacant or residential. The General Plan designates the property as HDR (High Density Residential) and it is zoned PDD (Planned Development) District. The Planned Development District is a unique zone district. The allowed uses are a reflection of the underlying General Plan designation. The General Plan in this case is residential. When the rezone was originally requested, it was with an application for a subdivision for a senior community. The final subdivision map was never submitted. In the PDD zone district, to change the proposal, a Conditional Use Permit must be approved for the new use. The applicant is now proposing a Continuum of Care Senior Community that includes 27 independent living units in the form of duplexes and one triplex. There will be seven (7) one bedroom, 900 square foot units with a one car garage; 16 two bedroom, 1,100 square foot apartments with a one car garage; and four (4) two bedroom plus den, 1,250 square foot apartments with a two car garage. There will be 27 senior apartments in a two-story building comprising 40,000 square feet. There are two parking spaces provided for each of the independent living units plus 49 additional parking spaces.

The property is accessed off Highway 41 by Victoria Lane and Foothill Drive. The elevation varies from 2,365 to 2,405 feet above mean sea level. The elevation increases toward the southern portion of the property. There are no streams or major rock outcroppings. There is a natural drainage course on the most western property line. The property is currently vacant. There is a rise of elevation to the south of approximately 35 feet. The proposed project will be visible from Highway 41. With new buildings being proposed for this area, what is referred to as "light pollution" will increase. This is due to

both internal and external lighting for each building. A condition is proposed requiring all lighting to be hooded and directed away from neighboring parcels and roadways.

There are special status species known to exist, or have historically been existing within the vicinity. Within the Oakhurst area, the most obvious are the large hawks, migrating turkey vultures and occasional eagles that patrol the skies. Dozens of other avian species, including barn owls, prowl the lower airways.

The area is characterized by foothill and oak woodland habitats together with interior oak, pine and mixed chaparral biotic habitat characteristic of the Sierra Nevada foothills. Important corridors of riparian habitat along creeks and rivers are located throughout the planning area. There are no known riparian habitats, streams or drainages on site.

The proposed site is located along the west side of Highway 41 and south of Victoria Lane. The General Plan indicates that Victoria Lane is designated as a local road requiring a right of way width of 60 feet. The existing right of way is 60 feet wide. The road is paved and is within Service Area No. 18, Ponderosa Knolls and Victoria Lane. Foothills Drive is designated as a local road requiring a right of way width of 60 feet. The existing right of way is 60 feet wide. This road is also paved and is within Service Area No. 18, Ponderosa Knolls and Victoria Lane.

The soil is made of a combination of Holland sandy loam and Cuyamaca rocky sandy loam. Both the Holland and Cuyamaca series are derived from the weathering in place of granitic rocks. Holland series is also derived from similar quartz bearing, crystalline rocks. Cuyamaca soils are brown or grayish-brown, slightly acid, and have well-defined clay accumulation in the subsoil. They are similar to the Holland soils, but differ in color, and contain more clay in the subsoil. Holland soils are brown and slightly acid. They are formed in areas where winter rainfall is from 25 to 60 inches, and the summers are long and dry. They have the distinct accumulation of organic matter on the surface. Both soils general have good surface drainage, internal drainage is somewhat restricted by dense subsoil. Holland soils are found in areas that are rolling to hilly. Where Cuyamaca is found in areas that are hilly to steep.

The facility will generate approximately 94,500 gallons/week of wastewater. It will be connected to MD 22A. Hillview Water Company will provide water. An estimate of 11.37 Acre feet per year will be required. Disposal of solid waste is by EMADCO, approximately 9,072 pounds per week.

FINDINGS OF FACT:

The following findings of fact must be made by the Planning Commission to approve this Conditional Use Permit application. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following in light of the proposed conditions of approval.

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance in that the area is sparsely populated. Most of the surrounding parcels are vacant or residentially developed. The General Plan designates this parcel as residential and the PDD (Planned Development) District would allow this residential facility.*

2. *The proposed project is not contrary to the public health, safety, or general welfare in that many people move to Oakhurst to retire. The senior living complex is badly needed in the area. The facility would meet the needs from active retirement to assisted living and memory care.*
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors in that the applicant must operate according to the operational statement and plans. Normally senior living communities are very quiet. There will be increased lighting but all lighting would need to be hooded and directed away from neighboring parcels and roadways.*
4. *The proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability. The project site is currently undeveloped. The proposed facility will be an upscale design with landscaping that will enhance the area.*

WILLIAMSON ACT:

The property is not subject to a Williamson Act contract.

GENERAL PLAN CONSISTENCY:

The General Plan designates the property as HDR (High Density Residential) and it is zoned PDD (Planned Development) District. The Planned Development District is unique. It requires a complete site plan to be submitted with the rezoning application. If the site plan changes, you must submit a Conditional Use Permit to evaluate the new proposal. The proposal is for a senior care facility. In the area there is one church. All of the surrounding parcels are vacant of residentially development. The proposed facility would be consistent with the General Plan and the land use in the area.

RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit (CUP #2018-004) subject to conditions, the Mitigated Negative Declaration (MND #2018-005) and the mitigation monitoring program.

CONDITIONS:

See Attached

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit D-2, Floor Plan, Building A
6. Exhibit D-3, Building B
7. Exhibit D-4, Building C
8. Exhibit D-5, Senior Apartments, First Floor
9. Exhibit D-6, Senior Apartments, Second Floor
10. Exhibit D-7, Memory Care, First Floor
11. Exhibit D-8, Assisted Living, Second Floor
12. Exhibit D-9, Elevations
13. Exhibit E, Aerial Map
14. Exhibit F, Topographical Map
15. Exhibit G, Parcel History
16. Exhibit H, Operational Statement
17. Exhibit I, Environmental Health Comments
18. Exhibit J, Fire Prevention Comments
19. Exhibit K, Public Works Comments
20. Exhibit L, Public Works Comments (Phu Duong)
21. Exhibit M, CalTrans' Comments
22. Exhibit N, San Joaquin Air Pollution Control District Comments
23. Exhibit O, Initial Study
24. Exhibit P, Mitigated Negative Declaration

CONDITIONS OF APPROVAL

PROJECT NAME: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)
PROJECT LOCATION: on the southwest corner of Highway 41 and Victoria Lane (No Situs), Oakhurst

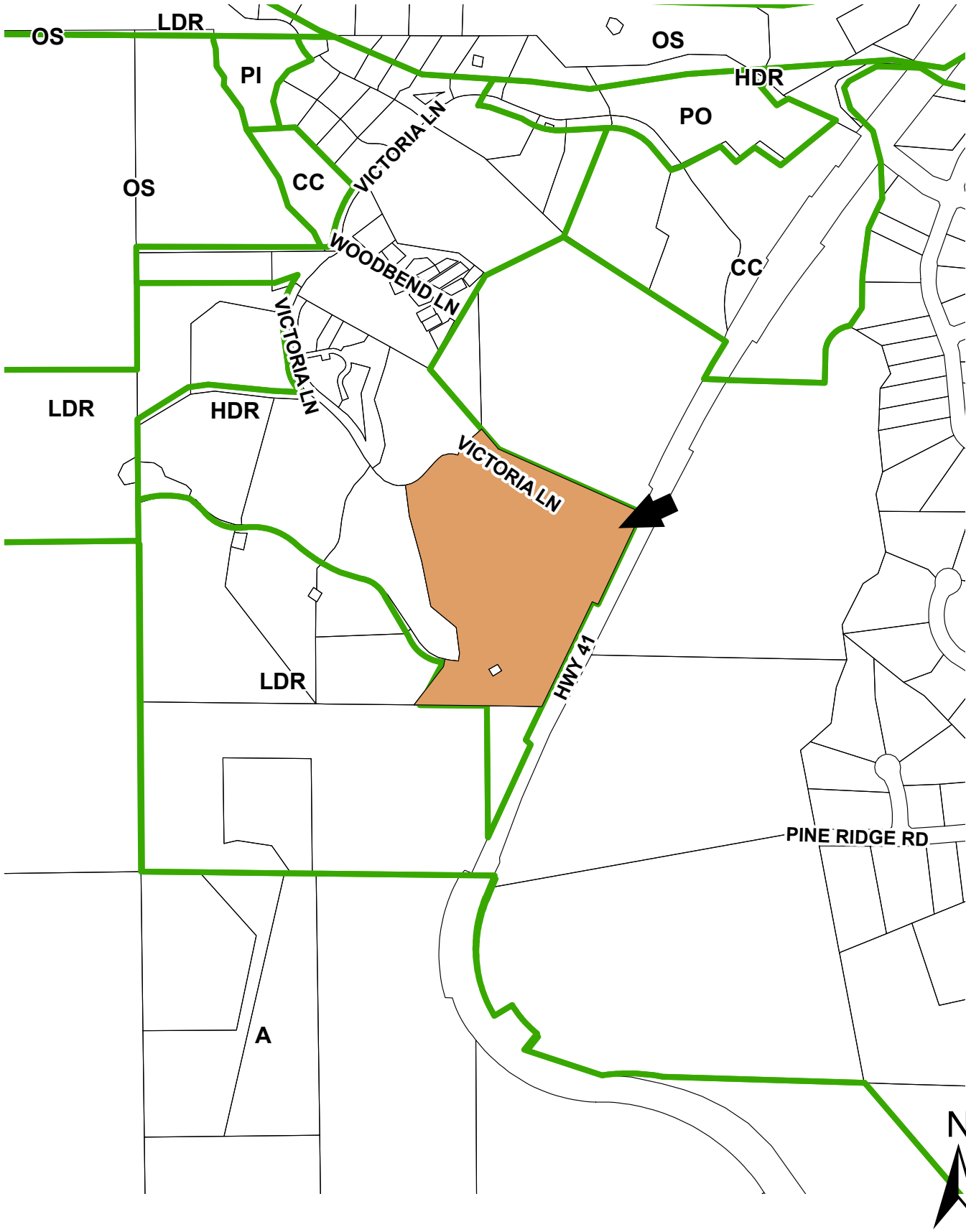
PROJECT DESCRIPTION: Continuum of Care Senior Community

APPLICANT: Shingu, Garrett
CONTACT PERSON/TELEPHONE NUMBER: (831) 809-5114

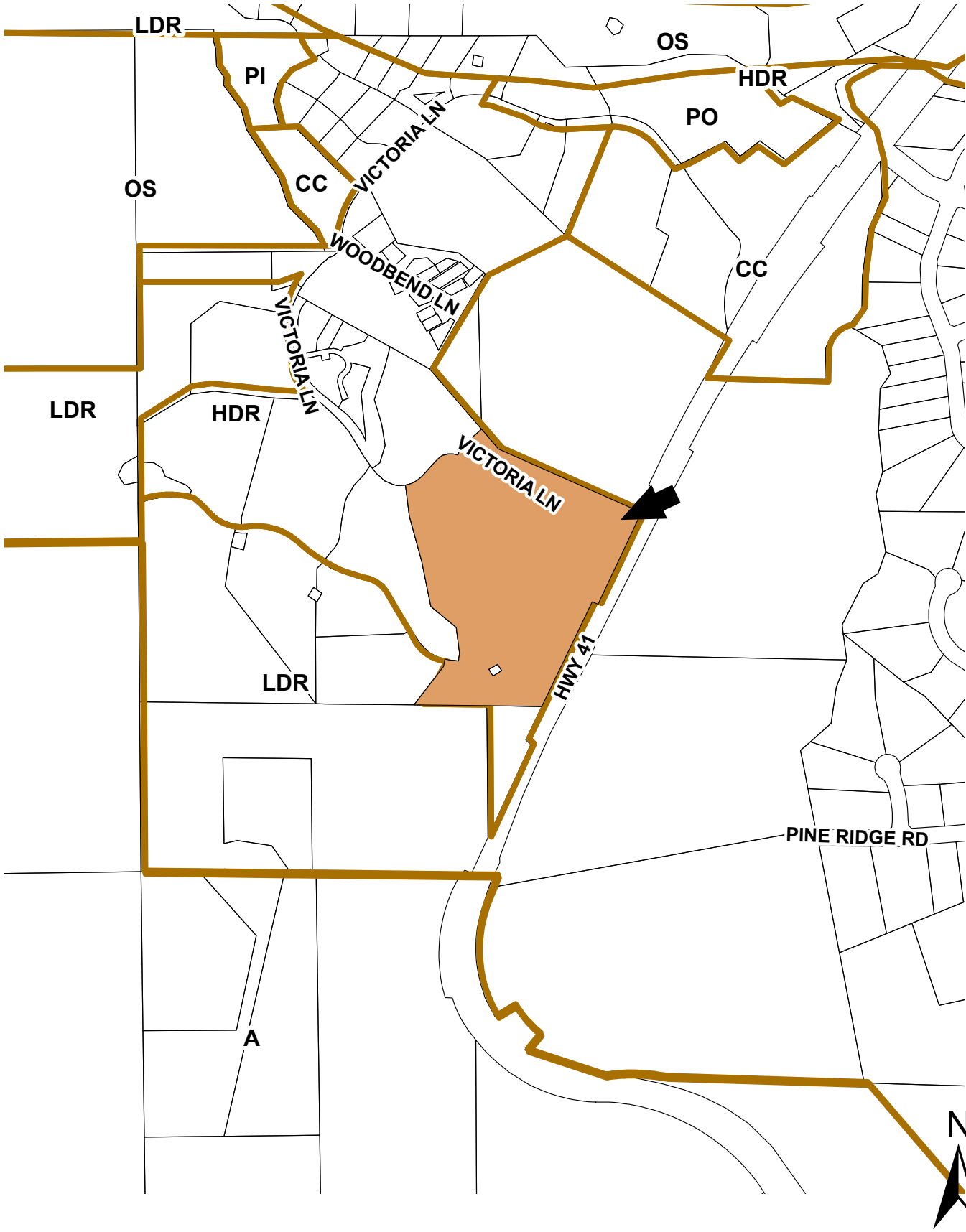
No.	Condition	Department/ Agency	Verification of Compliance	
			Initials	Date
Environmental Health Division				
1	If this proposed project is within 200 feet of a public sanitary sewer (Sewer Maintenance District MD-22A) it shall connect.	Env. Health		
2	If this proposed project is within 500 feet of an existing public water system (Hillview Water Company) it shall connect. Please provide a Will Serve letter from Hillview Water Company.	Env. Health		
3	Solid waste collection with sorting for green, recycle, and garbage is required.	Env. Health		
4	Environmental Health Food Plan Check and Health Permit maybe required due to food service to the Public. Contact Environmental Health for more detail on permitting requirements.	Env. Health		
5	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s): Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.	Env. Health		
Fire Prevention Division				
6	Fire flow for the proposed buildings may not be available for the duration required from the existing hydrant water system. Contact Hillview water to provide detailed system flow availability.	Fire		
Planning Division				
7	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning		
8	All parking and circulation areas within the proposed project site shall be paved with asphalt, concrete or compacted gravel approved by the Madera County Planning Department.	Planning		

No.	Condition	Department/ Agency	Verification of Compliance		
			Initials	Date	Remarks
9	A landscaping and irrigation plan shall be submitted to the Planning Department for review and approval prior to the release of the conditional use permit. The landscaping shall be kept viable and free of weeds and debris. All landscaping shall comply with the Madera County Drought Tolerant Landscape Ordinance.	Planning			
10	All mitigation measures outlined in the Mitigated Negative Declaration #2018-005 shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Planning Commission.	Planning			
11	The applicant shall apply for a sign permit. All proposed signs related to the operation shall conform to the Oakhurst/Ahwahnee Sign Ordinance. The location of the proposed signs shall be shown on the site plan.	Planning			
Public Works Department					
12	Prior to applying for a commercial permit with the County the applicant shall submit a stamped grading and drainage plan and application to the County. Drainage or onsite storage calculations will need to be submitted to the Public Works Department for review and approval as well. This plan shall identify on site retention for any increase in storm water runoff generated by the proposed development. The grading, drainage plan, and calculations shall be prepared by a licensed professional.	Public Works			
13	All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.	Public Works			
14	Prior to any construction where such construction is occurred within an existing County right-of-way, the applicant is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be obtained prior to commencing the work.	Public Works			
15	All driveway approaches accessing the site shall be built to County applicable standards as described in the permit. Maximum approach width is 35' for commercial uses or not more than 50% of the frontage shall be driveways. Approaches wider than the stated maximums may be allowed subject to prior approval of the Public Works Director or his designee. The approaches are subject to inspection conduct by the department inspector.	Public Works			
16	Due to the vicinity of the project being adjacent to the Caltrans' facility, the applicant is hereby to comply and satisfy all conditions imposed by Caltrans.	Public Works			
17	All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPs to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.	Public Works			
18	Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation. Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.	Public Works			

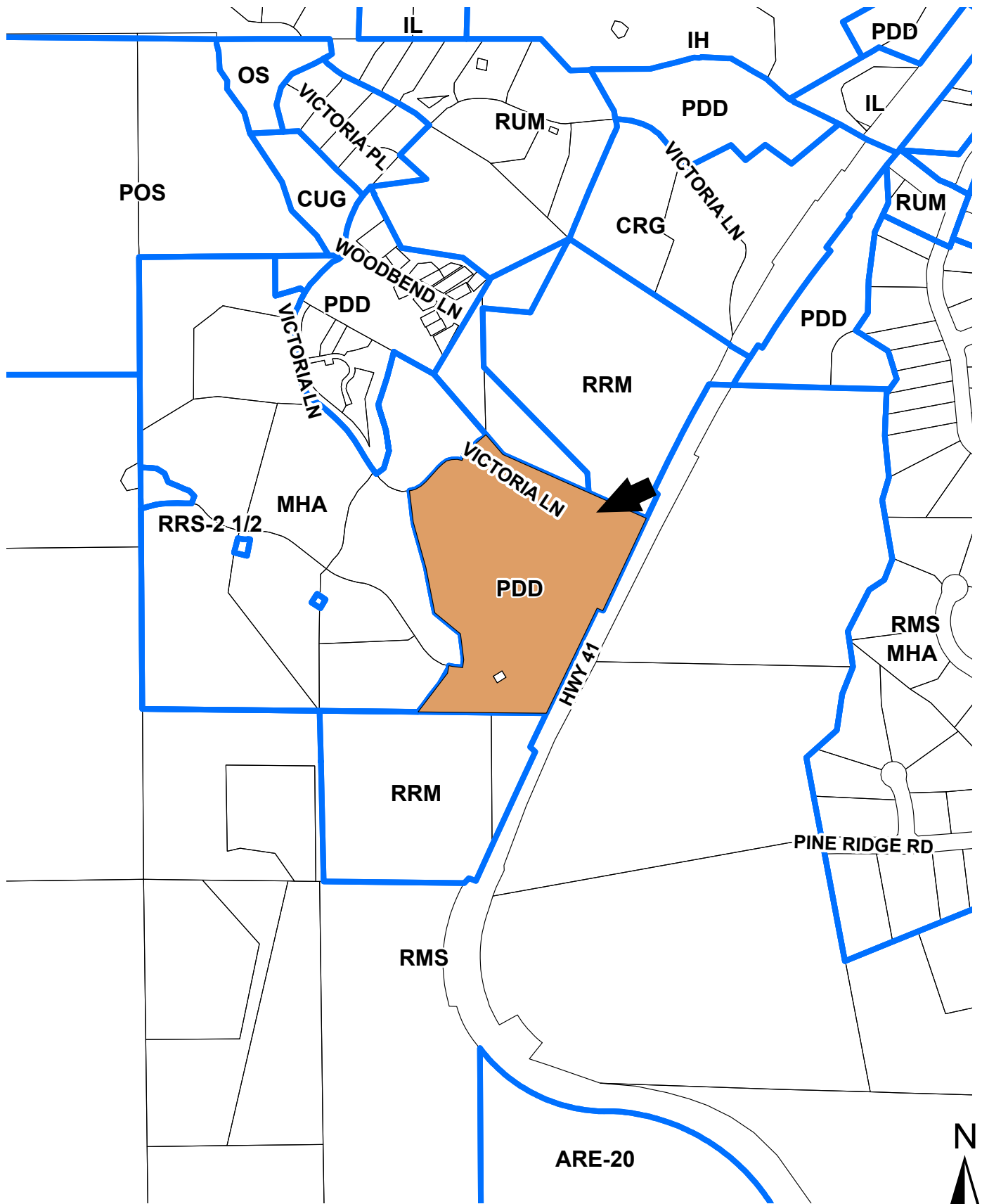
No.	Condition	Department/ Agency	Verification of Compliance		
			Initials	Date	Remarks
DEPARTMENT OF TRANSPORTATION (CALTRANS)					
19	The applicant shall dedicate 73 feet (from centerline) of right-of-way to accommodate the ultimate configuration of SR 41.	CalTrans			
20	No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer. Stormwater is not allowed to be discharged to the State right-of-way. Since the proposed development/project involves one acre or more of ground disturbance, the applicant shall contact the Central Valley Regional Water Quality Control Board office in Fresno at (559) 445-5116 to determine whether a Notice of Construction will be required. The applicant will be required to adhere to Caltrans construction stormwater requirements if there is proposed work within the State right-of-way.	CalTrans			
21	Advertising signs within the immediate area outside the State right-of-way need to be cleared through the Caltrans Division of Traffic Operations, Office of Outdoor Advertising. The project proponent must construct and maintain the advertising signs without access to the State Routes.	CalTrans			
22	If work will need to be performed within, under or over the State highway rights-of-way, an encroachment permit must be obtained. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit.	CalTrans			
23	Proposed landscaping needs to be low growing, and less than two feet in height to avoid sight distance interruptions. In addition, any landscaping proposed adjacent to the State Route will need to be reviewed and approved by the Caltrans District Landscape architect. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.	CalTrans			



GENERAL PLAN MAP



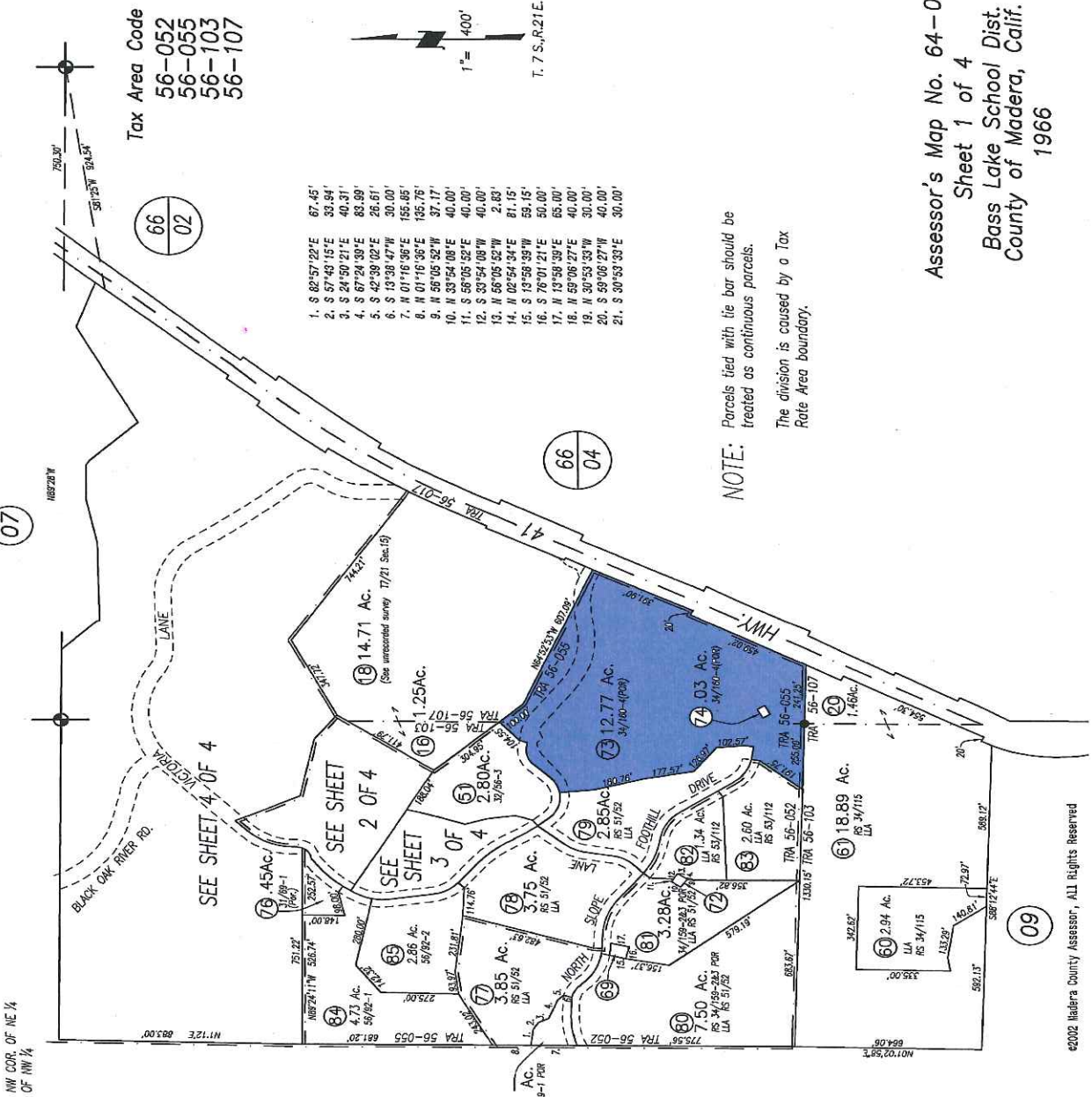
OAKHURST AREA PLAN



ZONING MAP

64-08
SHEET 1 of 4

POR. OF SEC. 15 T.7S., R.21E. M.D.B.&M.



NOTE: Parcels tied with tie bar should be treated as continuous parcels.
The division is caused by a Tax Rate Area boundary.

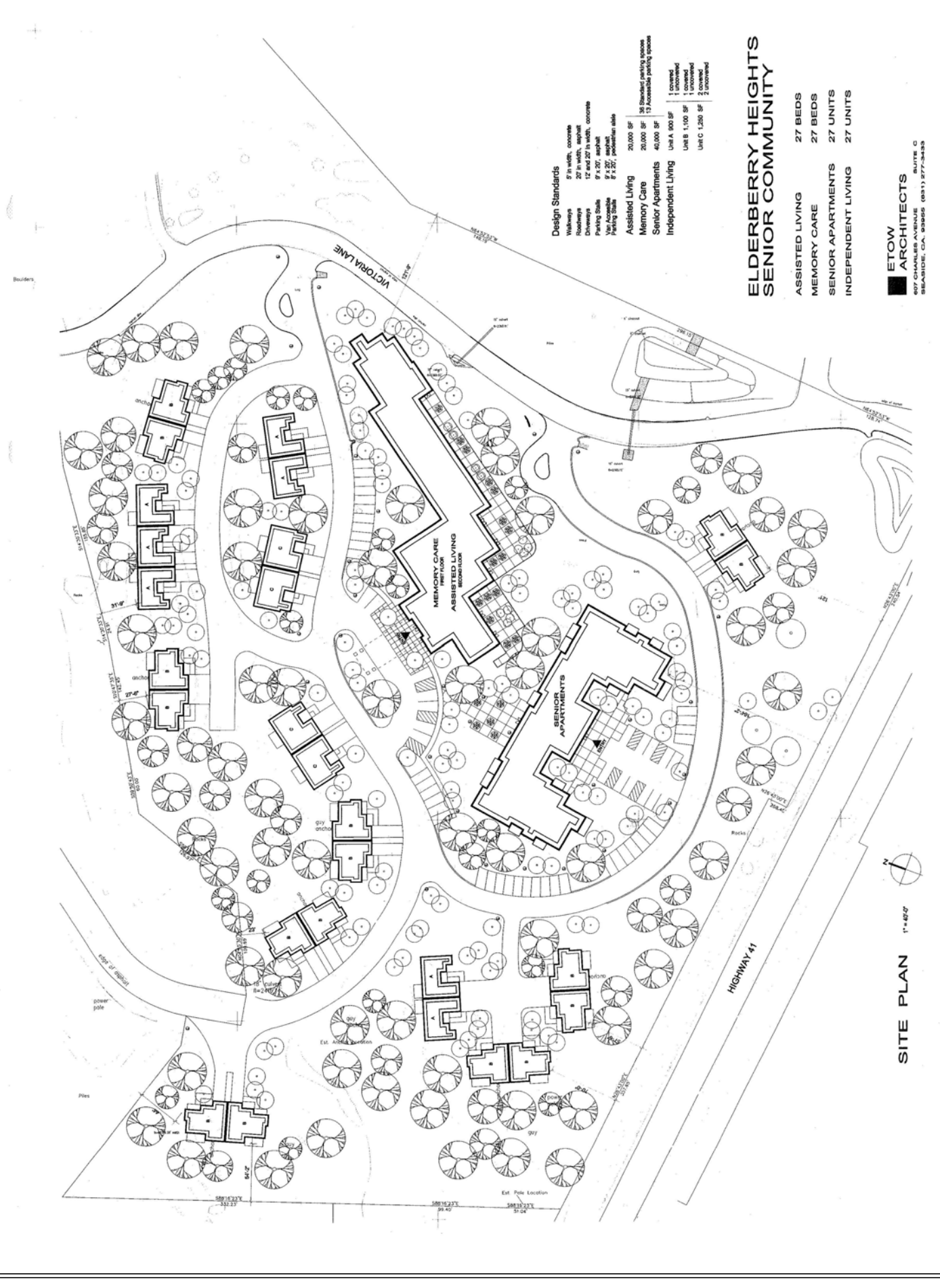
Assessor's Map No. 64-08
Sheet 1 of 4
Bass Lake School Dist.
County of Madera, Calif.
1966

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

©2002 Madera County Assessor, All Rights Reserved

IN BLUE ORIGINAL

ASSESSOR'S MAP



Design Standards

- Walkways: 2' in width, concrete
- Roadways: 20' in width, asphalt
- Driveways: 12' and 20' in width, concrete
- Parking Stalls: 9' x 20'
- Van Accessible: 9' x 20'
- Handicap Accessible: 9' x 20', pedestrian side

Assisted Living: 20,000 SF

Memory Care: 20,000 SF

Senior Apartments: 40,000 SF

Independent Living: 20,000 SF

36 Standard parking spaces
17 Accessible parking spaces

Unit A: 900 SF
 1 covered
 1 uncovered

Unit B: 1,100 SF
 1 covered
 1 uncovered

Unit C: 1,250 SF
 2 covered
 2 uncovered

ELDERBERRY HEIGHTS SENIOR COMMUNITY

ASSISTED LIVING	27 BEDS
MEMORY CARE	27 BEDS
SENIOR APARTMENTS	27 UNITS
INDEPENDENT LIVING	27 UNITS

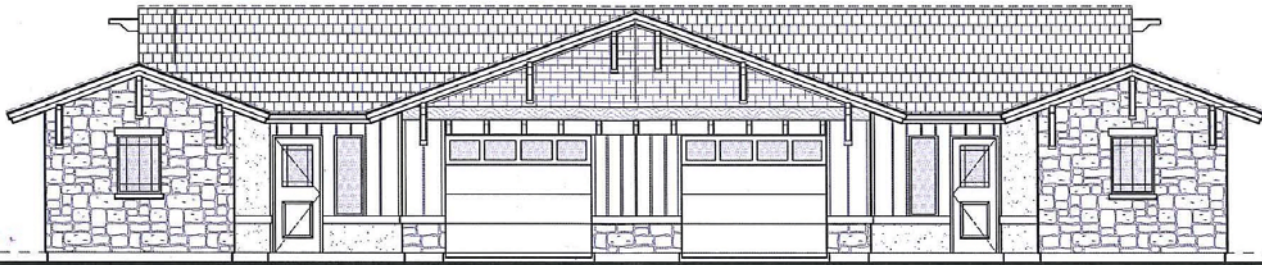
ETOW ARCHITECTS
 807 CHARLES AVENUE SUITE C
 SEASIDE, CA. 93955 (831) 877-3433



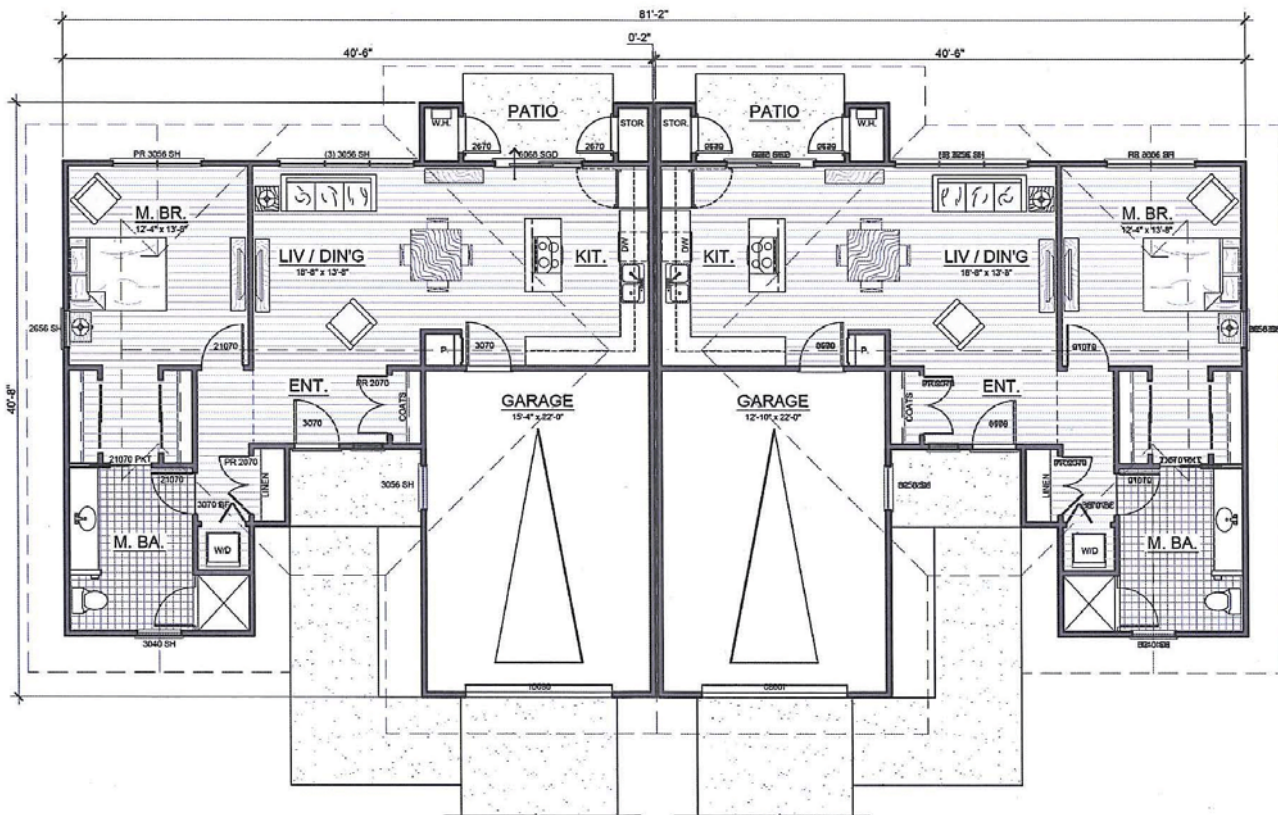
1" = 40'

SITE PLAN

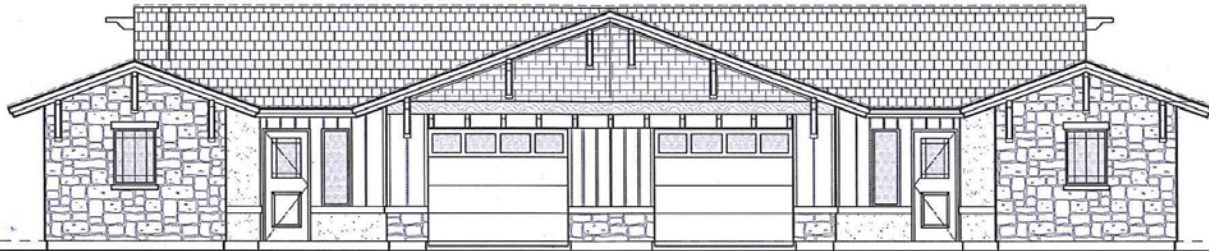
SITE PLAN



FRONT ELEVATION - BUILDING TYPE 1 - A / A UNITS
SCALE 3/16" = 1'-0"

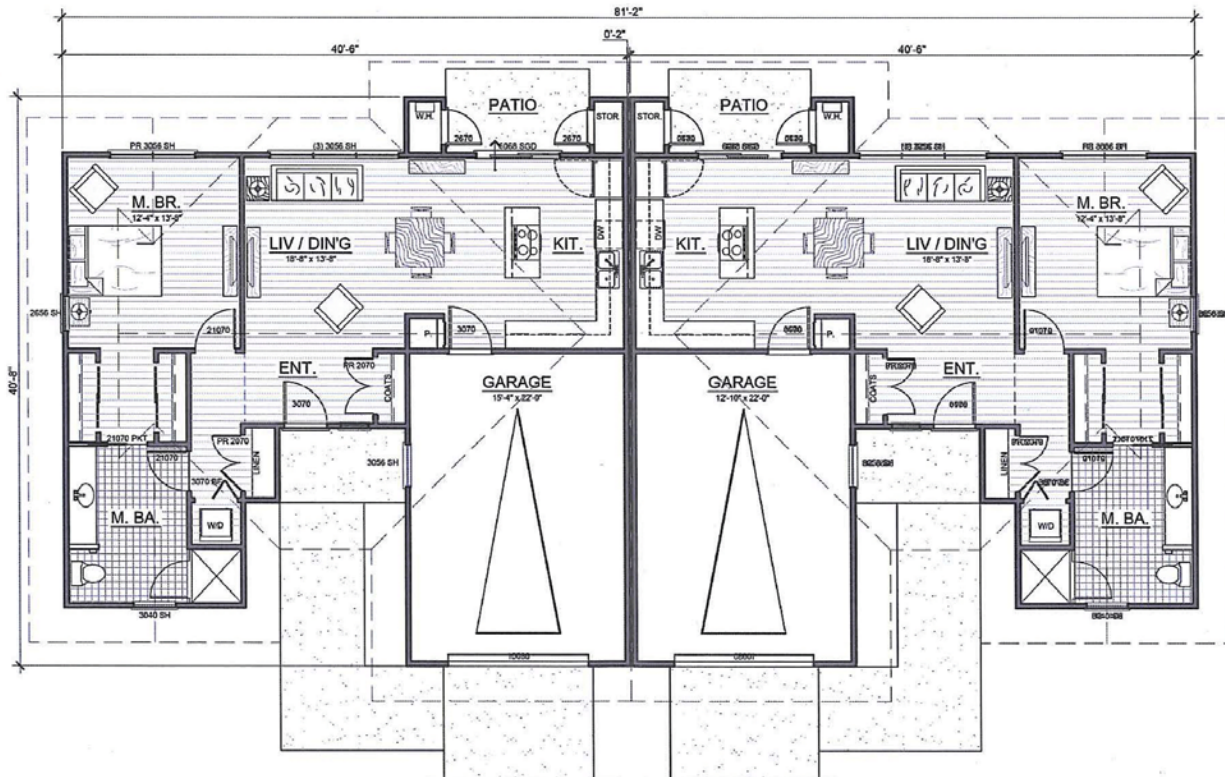


BUILDING TYPE A, 900 SF

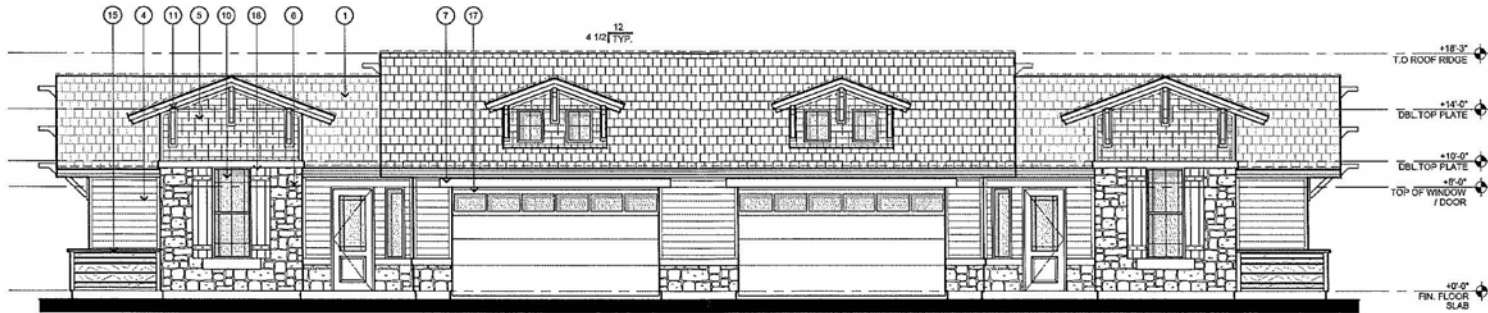


FRONT ELEVATION - BUILDING TYPE 1 - A / A UNITS

SCALE 3/16" = 1'-0"

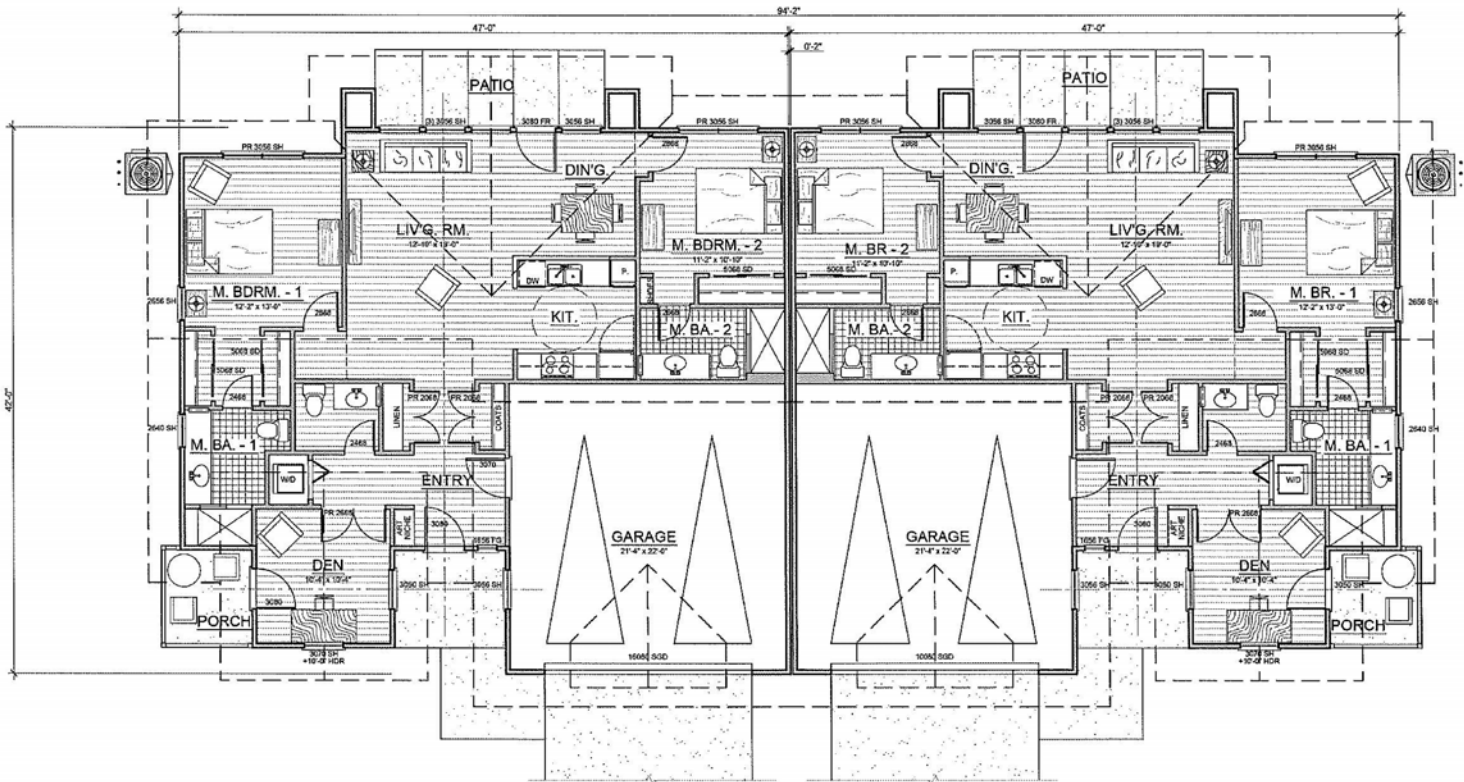


BUILDING TYPE B, 1,100 SF

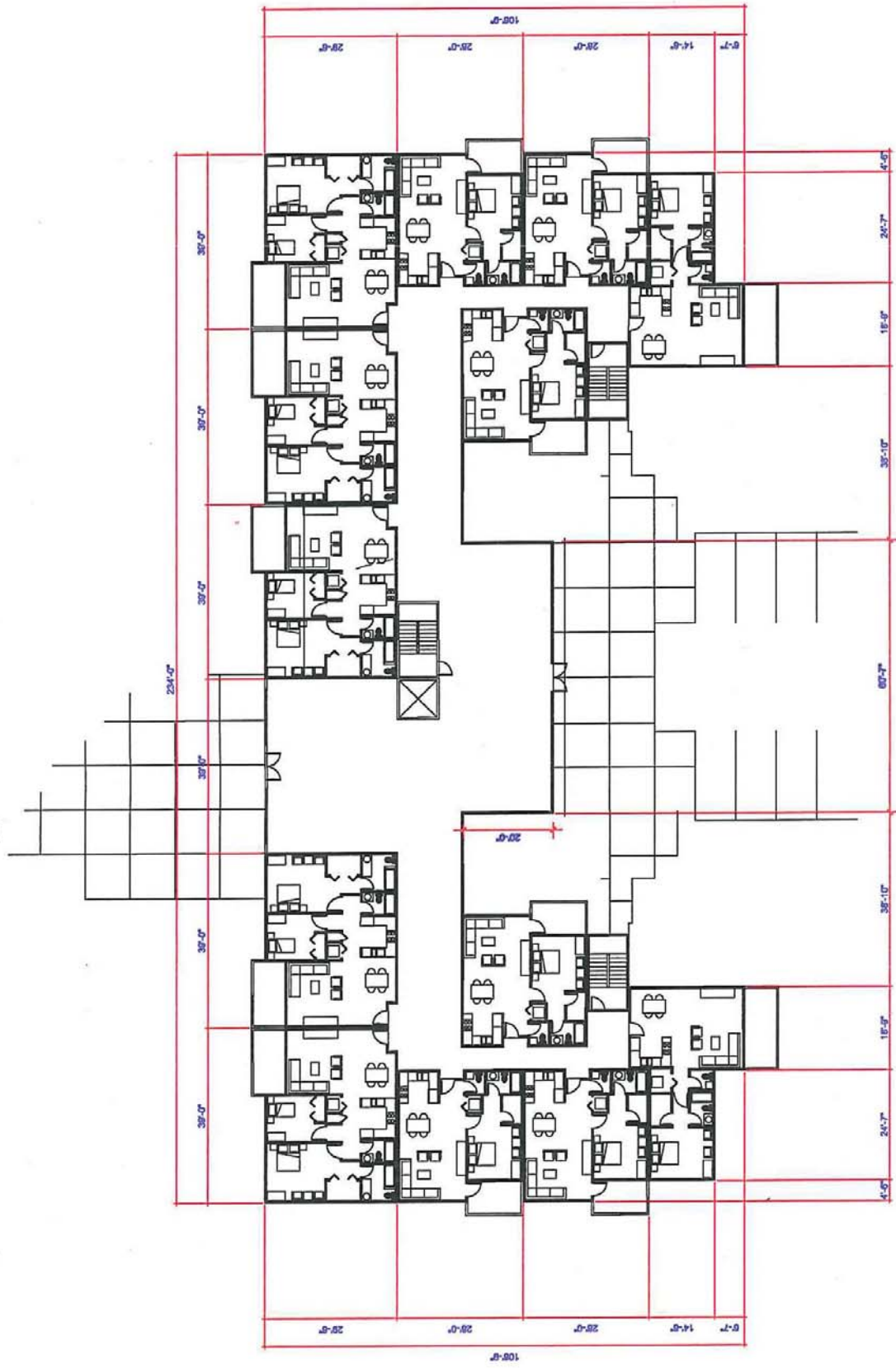


FRONT ELEVATION - BUILDING TYPE 4 - C / C UNITS
SCALE 3/16" = 1'-0"

NOTE: MATERIALS ARE TYPICAL AT ALL ELEVATIONS AS SHOWN

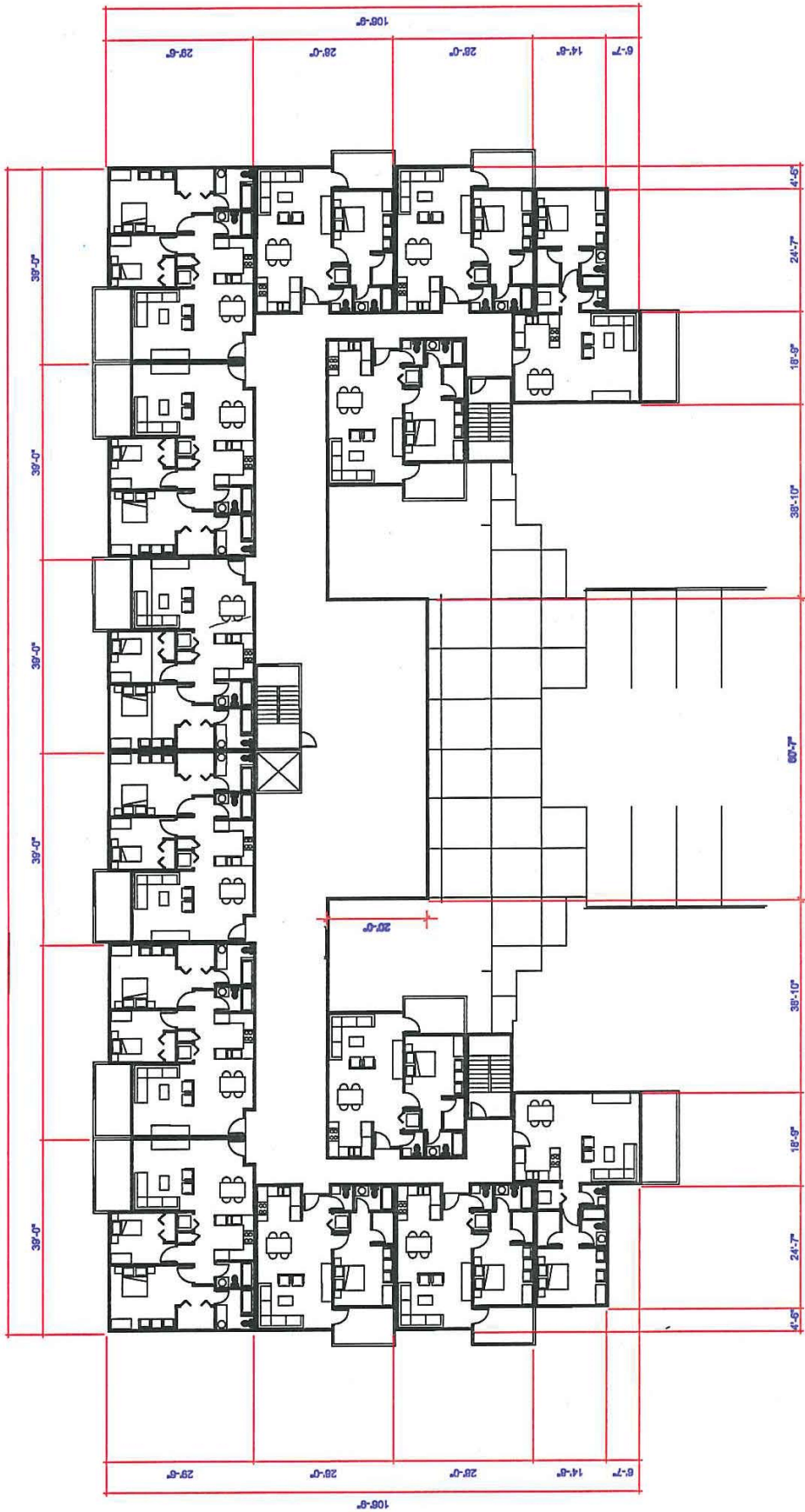


BUILDING TYPE C, 1,250 SF



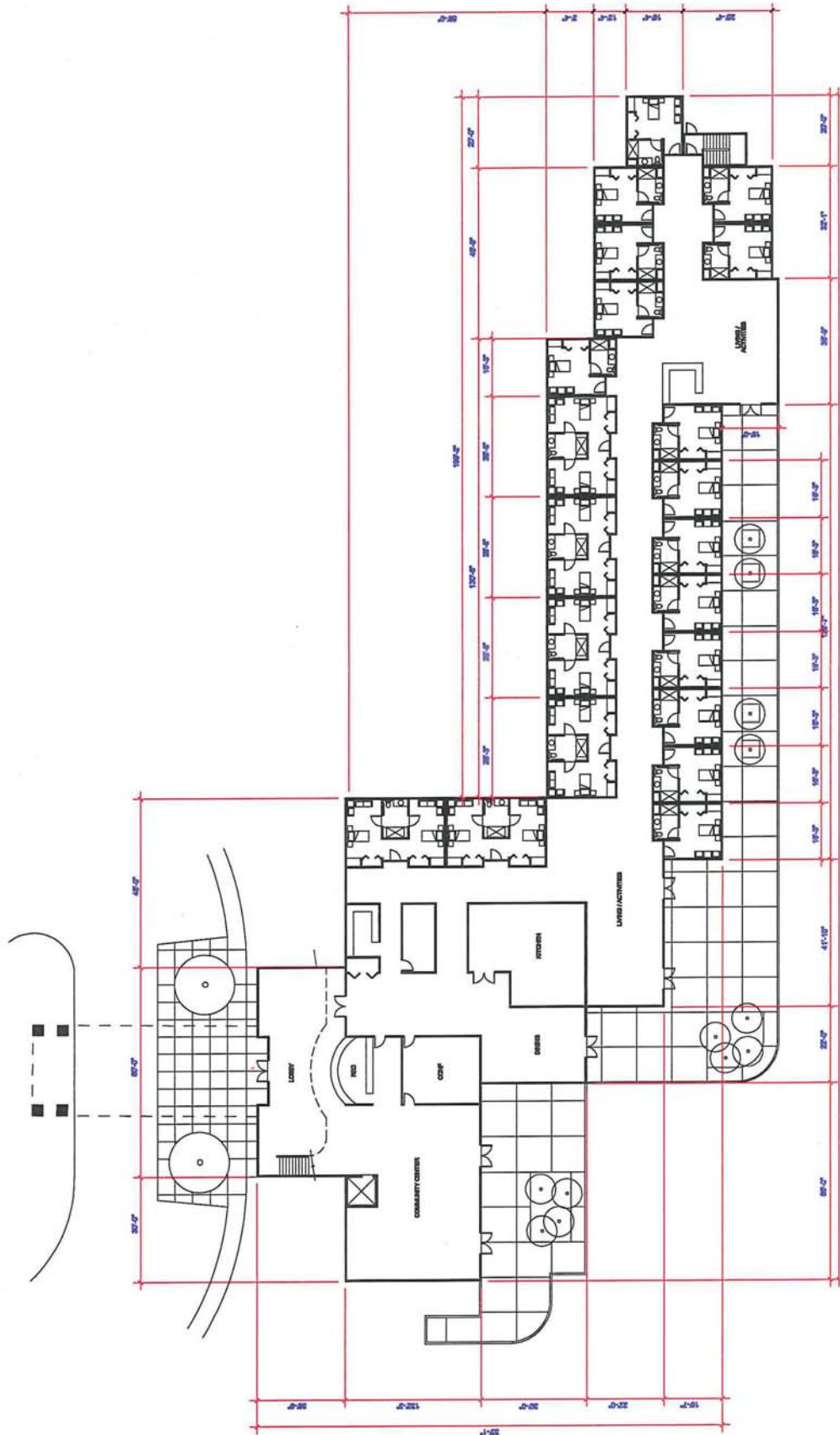
FIRST FLOOR PLAN

SENIOR APARTMENTS



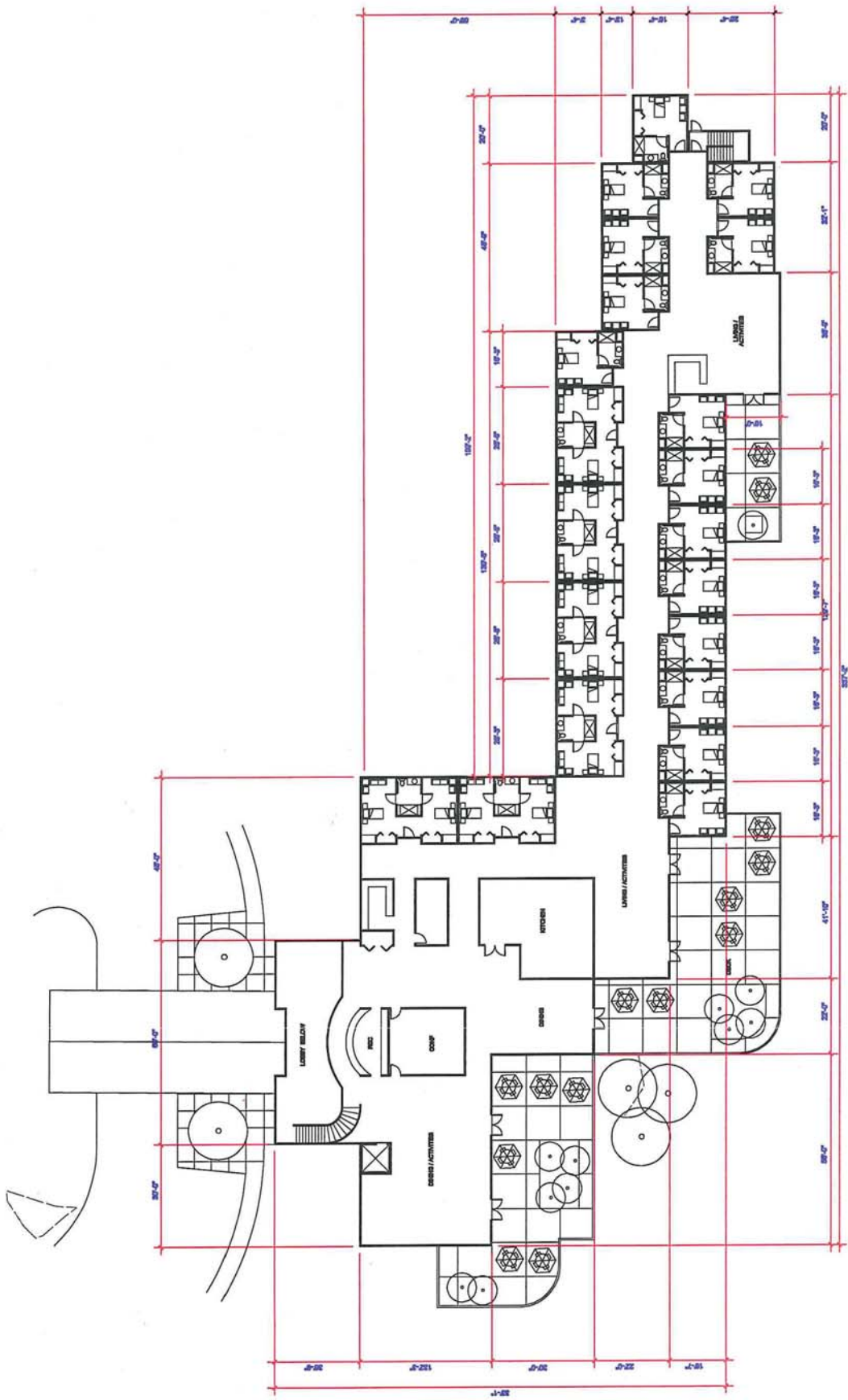
SECOND FLOOR PLAN

SENIOR APARTMENTS



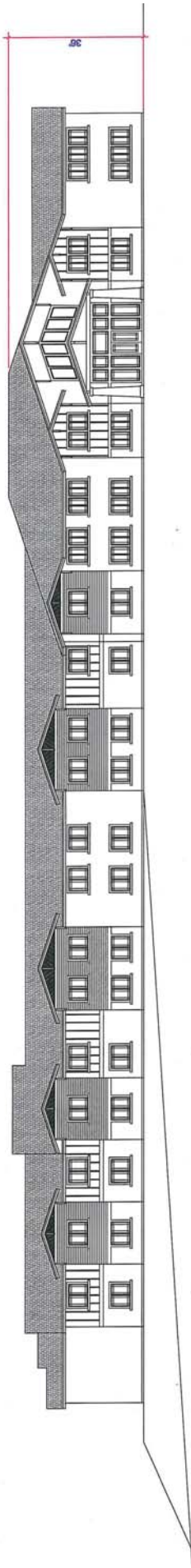
FIRST FLOOR PLAN

MEMORY CARE



SECOND FLOOR PLAN

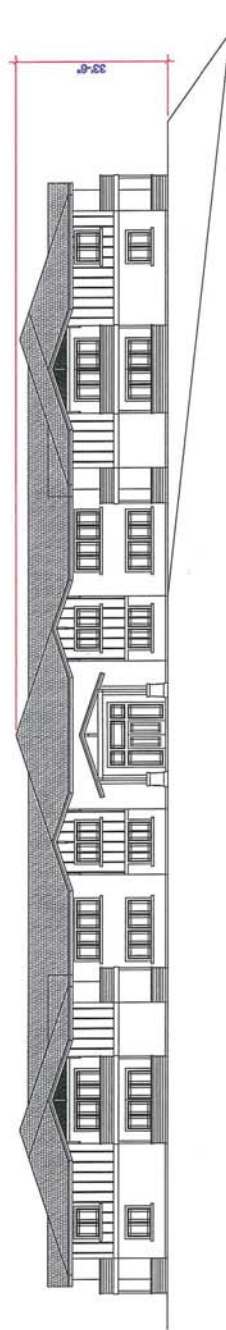
ASSISTED LIVING



MATERIALS
ROOFING — ASPHALT SHINGLES
WOOD SIDING
VINYL AND BATT SIDING
BRICK
STONE
WINDOWS — VINYL WINDOWS

300" x 10'

**ENTRY ELEVATION
ASSISTED LIVING**



MATERIALS
ROOFING — ASPHALT SHINGLES
WOOD SIDING
VINYL AND BATT SIDING
BRICK
STONE
WINDOWS — VINYL WINDOWS

300" x 10'

**ENTRY ELEVATION
SENIOR APARTMENTS**



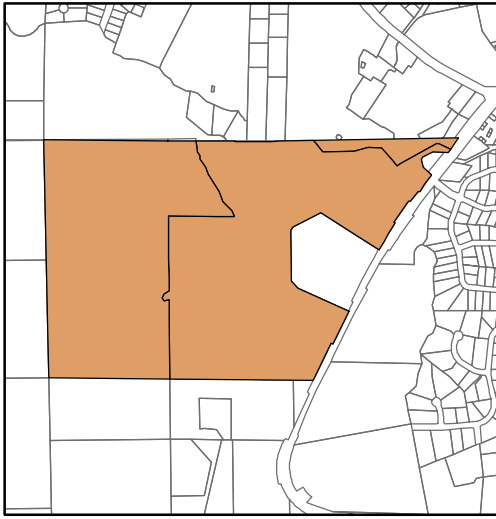
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

AERIAL MAP

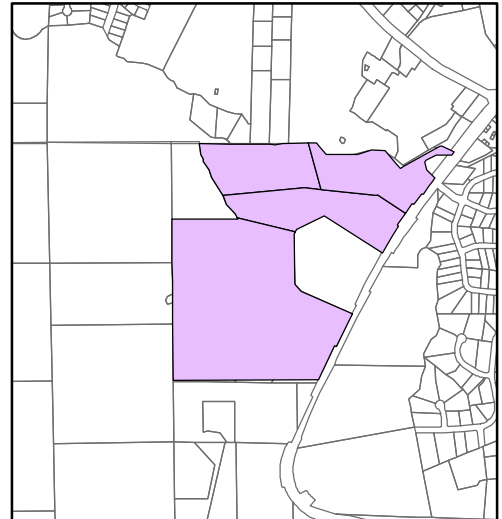


Copyright: © 2013 National Geographic Society

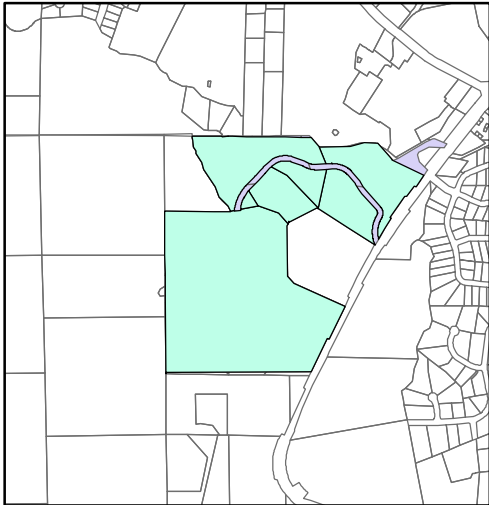
TOPOGRAPHICAL MAP



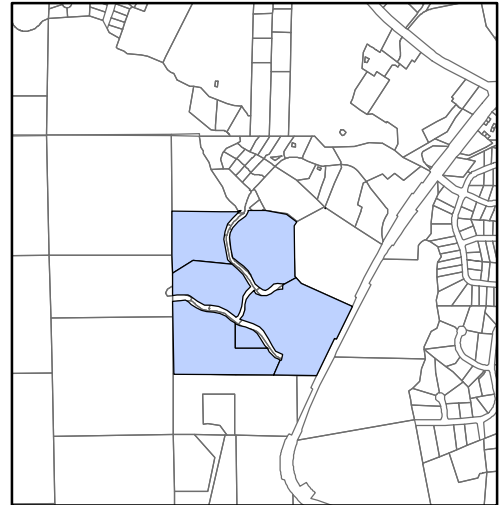
PM 99



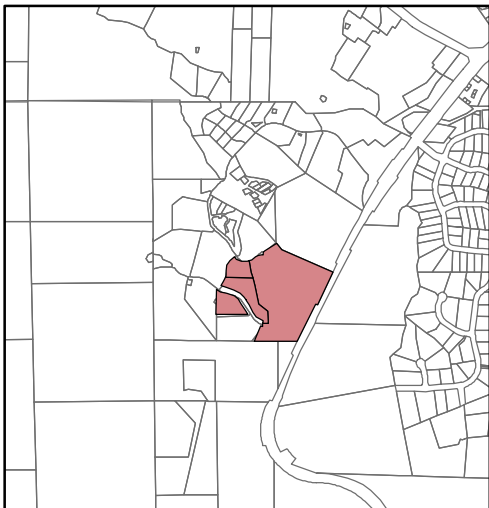
PM 1455, Redivision of Parcel 4



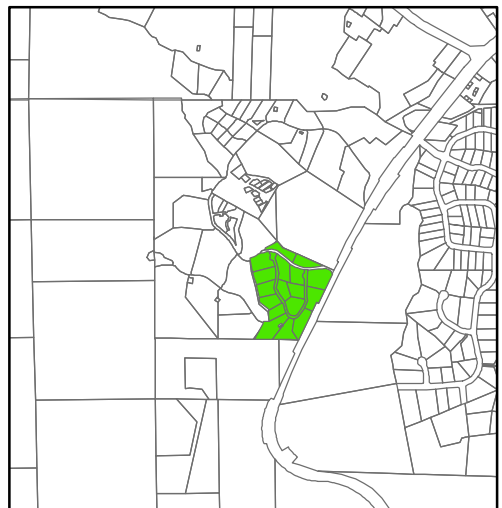
**PM 2167, Reconfiguration of
PM 1455**



PM 2425, Redivision of Parcel 4

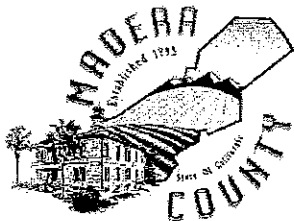


PM 2561, Redivision of Parcel 4



**S 2006-009, Subdivision of Parcel 4
(Final Map was never recorded)**

PARCEL HISTORY



Community and Economic Development
Planning Division

Norman L. Allinder, AICP
Director

EXHIBIT H

- 200 W 4th Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

**OPERATIONAL/ENVIRONMENTAL STATEMENT
CHECKLIST**

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: APN 004-080-073

Applicant's Name: GARRETT SHINGU

Address: P.O. BOX 3102 MONTEREY, CA 93942

Phone Number: (831) 309-5114

2. Describe the nature of your proposal/operation.

ELDERBERRY HEIGHTS IS A CONTINUUM OF CARE COMMUNITY FOR THE ELDERLY CONSISTING OF 27 INDEPENDENT LIVING COTTAGES, 54 UNITS OF ASSISTED & MEMORY CARE UNITS & 27 UNITS OF A.I. APARTMENTS.

3. What is the existing use of the property?

VACANT

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

NA

5. What are the proposed operational time limits?

Months (if seasonal): ALL YEAR, FULL TIME 24/7.

Days per week: _____

Hours (from ___ to ___): Total Hours per day: _____

6. How many customers or visitors are expected?

Average number per day: 100 UNITS

Maximum number per day: _____

What hours will customers/visitors be there? VISITORS FROM 10AM - 8PM

7. How many employees will there be?

Current: 80 FULL TIME & PART TIME STAFF.

Future: WITH VNA & HOSTICE VISITATION.

Hours they work: 3 SHIFTS WITH VARIOUS NUMBERS / OVER 24 HRS

Do any live onsite? If so, in what capacity (i.e. caretaker)? NO

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

FOODS, LINEN & OFFICE

9. Will there be any service and delivery vehicles? YES

Number: LESS THAN 5

Type: FOOD & LAUNDRY VANS

Frequency: WEEKLY

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area:

40 PARKING SPACES WILL BE PROVIDED ON PAVED SURFACE.

11. How will access be provided to the property/project? (street name)

VICTORIA LANE OFF HWY 41
AND BY Foothill Dr.

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

THE PROPOSED PROJECT WILL GENERATE 200 TRIPS/DAY W/
24 TRIPS GENERATED DURING AM PEAK HR & 30 TRIPS DURING PM PEAK HR.

13. Describe any proposed advertising, including size, appearance, and placement.

ADVERTISING SIGNAGE WILL BE ON A STONE MONUMENT @
ENTRY APPROX. 10' X 15'

14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.

NEW CONSTRUCTION. SEE DWGS SUBMITTALS.

15. Is there any landscaping or fencing proposed? Describe type and location.

FULLY LANDSCAPED USING DROUGHT RESISTANT
PLANT MATERIALS

16. What are the surrounding land uses to the north, south, east and west property boundaries?

TO THE NORTH OFF VICTORIA LANE IS A CHURCH. TO
THE WEST, SOUTH & EAST IS VACANT LAND.

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

NO. SENIOR COMMUNITIES ARE QUIET.

18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

OUR PROJECT WILL REQUIRE 11.32 AFT. WATER
SUPPLIED BY HILLVIEW WATER

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

WE WILL GENERATE 94,500 GALLONS/WK WITHIN DISTRICT MD-22A.

20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

DISPOSAL OF SOLID WASTE IS BY EMAD CO. THE AMOUNT OF SOLID WASTE IS 9072 POUNDS/WK.

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

THERE WILL BE A MINIMUM OF GRADING & TREE REMOVAL FOR BOTH BUILDING PADS & ROADS. OUR DESIGN TAKES INTO CONSIDERATION OF THE TREES TO ALLOW AN ABSOLUTE MINIMUM OF GRADING.

22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.

NO. WITH THE PREVIOUS SUBMITTAL THE COUNTY HAS RECEIVED AN ARCHEOLOGICAL REPORT BY JOHN BRADY.

23. Locate and show all bodies of water on application plot plan or attached map.

NO

24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

RAVINE ON WEST SIDE OF PROPERTY. (SEE TYPED)

25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

NO

26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

OUR PROPOSAL WILL REQUIRE THE USE OF FIRE AND POLICE PROTECTION

27. How do you see this development impacting the surrounding area?

I BELIEVE WE WILL BE A POSITIVE IMPACT ON THE AREA. THE PROPERTIES WILL BE MAINTAINED TO A VERY HIGH STANDARD.

28. How do you see this development impacting schools, parks, fire and police protection or special districts?

WE WILL REQUIRE SERVICES FROM THE POLICE & FIRE DEPARTMENTS.

29. If your proposal is for commercial or industrial development, please complete the following; Proposed

Use(s): NA

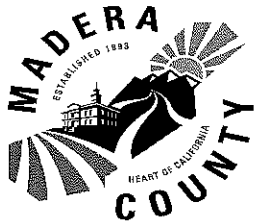
Square feet of building area(s): _____

Total number of employees: _____

Building Heights: _____

30. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

NA



Community and Economic Development
Environmental Health Division

Dexter Marr
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

MEMORANDUM

TO: Becky Beavers
FROM: Dexter Marr, Environmental Health Division
DATE: March 14, 2018
RE: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)

Comments

TO: Planning Division
FROM: Environmental Health Division
DATE: March 2, 2018
RE: Conditional Use Permit (CUP) #2018-004, Shingu, Oakhurst APN 064-080-073

The Environmental Health Division Comments:

If this proposed project is within 200 feet of a public sanitary sewer (Sewer Maintenance District MD-22A) it shall connect.

If this proposed project is within 500 feet of an existing public water system (Hillview Water Company) it shall connect. Please provide a Will Serve letter from Hillview Water Company.

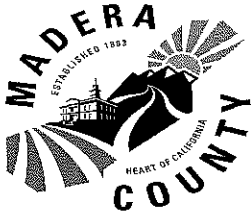
Solid waste collection with sorting for green, recycle, and garbage is required.

Environmental Health Food Plan Check and Health Permit maybe required due to food service to the Public. Contact Environmental Health for more detail on permitting requirements.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this department. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this department prior to commencement of any work activities.

If there are any questions or comments regarding these conditions/requirements please, feel free to contact our Division at (559) 675-7823.



**Community and Economic Development
Fire Prevention Division**

Deborah Mahler, Fire Marshal
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

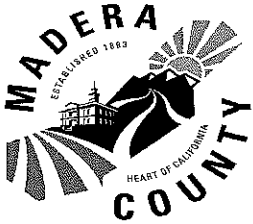
MEMORANDUM

TO: Becky Beavers
FROM: Deborah Mahler, Fire Marshal
DATE: March 14, 2018
RE: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)

Conditions

Fire flow for the proposed buildings may not be available for the duration required from the existing hydrant water system. Contact Hillview water to provide detailed system flow availability.

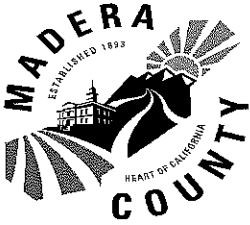
At the time of application for a Building Permit, a more in-depth plan review of the proposed project's compliance with all current fire and life safety codes will be conducted by the Madera County Fire Marshal. (CFC, Section 105)

**COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS****AHMAD M. ALKHAYYAT
DIRECTOR**200 West 4th Street
Madera, CA 93637-8720
Main Line - (559) 675-7811
Special districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310**MEMORANDUM**

DATE: March 14, 2018
TO: Becky Beavers
FROM: Madera County Public Works
SUBJECT: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)

Comments

Prior to applying for a commercial permit with the County the applicant shall submit a stamped grading and drainage plan and application to the County. Drainage or onsite storage calculations will need to be submitted to the Public Works Department for review and approval as well. This plan shall identify onsite retention for any increase in storm water runoff generated by the proposed development. The grading, drainage plan, and calculations shall be prepared by a licensed professional. All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

**COUNTY OF MADERA
DEPARTMENT OF PUBLIC WORKS****AHMAD M. ALKHAYYAT
DIRECTOR**200 West 4th Street
Madera, CA 93637-8720
Main Line - (559) 675-7811
Special districts - (559) 675-7820
Fairmead Landfill - (559) 665-1310**MEMORANDUM**

DATE: March 14, 2018
TO: Becky Beavers
FROM: Phu Duong, Public Works
SUBJECT: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)

Comments

Public Works Department has reviewed the CUP#2018-004 associated with APN: 064-080-073; the Department has the following conditions of approval:

Prior to any construction where such construction is occurred within an existing County right-of-way, the applicant is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be obtained prior to commencing the work.

All driveway approaches accessing the site shall be built to County applicable standards as described in the permit. Maximum approach width is 35' for commercial uses or not more than 50% of the frontage shall be driveways. Approaches wider than the stated maximums may be allowed subject to prior approval of the Public Works Director or his designee. The approaches are subject to inspection conduct by the department inspector.

Due to the vicinity of the project being adjacent to the Caltrans' facility, the applicant is hereby to comply and satisfy all conditions imposed by Caltrans.

All National Pollution Discharge Elimination System (NPDES) storm water regulations and standards shall be met. It is possible that the quality of storm water may be affected by pollutants. The applicant shall mitigate any impacts associated with storm water contamination caused by this project. A Storm Water Pollution Prevention Plan (SWPPP) is required for all projects 1-acre or more of site disturbance.

All stabilized construction on and off site access locations shall be constructed per the latest edition of the California Stormwater Quality Association (CASQA) details to effectively prevent tracking of sediment onto paved areas. If applicable, all BMPS to be inspected weekly and before and after each rain event. Repair or replace as necessary. The contractor shall abide all of the laws, ordinances, and regulations associated with the NPDES and the Clean Water Act.

Contractor shall be responsible for locating all underground utilities prior to the start of any work by contacting Underground Service Alert (USA) 48 hours prior to any excavation. Contractor shall be responsible for contacting the appropriate party in advance of any work for necessary inspections in compliance to these plans, standard plans and standard specifications.

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7307
FAX (559) 445-5875
TTY 711
www.dot.ca.gov



*Making Conservation a
California way of life.*

March 15, 2018

MAD-41-34.898

CUP# 2018-004

Elderberry Heights Senior Living

Ms. Becky Beavers
Community and Economic Development ~ Planning Division
200 West 4th Street, Suite 3100
Madera, California 93637

Dear Ms. Beavers:

We have completed our review of the Conditional Use Permit to allow the construction of a Continuum of Care Senior Community (Elderberry Heights). The project will be located on the southwest corner of State Route (SR) 41 and Victoria Lane in Oakhurst. Caltrans has the following comments:

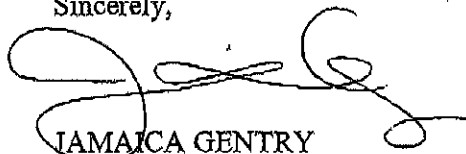
1. The anticipated increase in vehicle trips from the proposed development is not likely to trigger the need for traffic improvements, at this time. However, the ultimate right-of-way (ROW) for SR 41, along the project's frontage, is planned for 146 feet per an adopted ROW agreement with Madera County. The current ROW along this development's frontage varies from between 40 – 60 feet from centerline. Therefore, it is recommended that a dedication of 73 feet (from centerline) of right-of-way be preserved to accommodate the ultimate configuration of SR 41. Dedications required by the Lead Agency need to be shown on a revised site plan and forwarded for our review.
2. The site plan indicates the applicant is proposing to landscape the area along the front of the site. Proposed landscaping needs to be low growing, and less than two feet in height to avoid sight distance interruptions. In addition, any landscaping proposed adjacent to the State Route will need to be reviewed and approved by the Caltrans District Landscape Architect. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.
3. No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer. Stormwater is not allowed to be discharged to the State right-of-way. Since the proposed development/project involves one acre or more of ground disturbance, the applicant needs to be advised by the lead agency to contact the Central Valley Regional Water Quality Control Board office in Fresno at (559) 445-5116 to determine whether a Notice of Construction will be required. The applicant will be required to adhere to Caltrans construction stormwater requirements if there is proposed work within the State right-of-way. Additional information on Caltrans stormwater management requirements may be found at www.dot.ca.gov/hq/env/stormwater/index.

Ms. Becky Beavers
March 15, 2018
Page 2

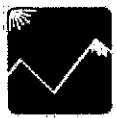
4. Advertising signs within the immediate area outside the State right-of-way need to be cleared through the Caltrans Division of Traffic Operations, Office of Outdoor Advertising. The project proponent must construct and maintain the advertising signs without access to the State Routes. Please contact the Outdoor Advertising Program, P.O. Box 942874, MS-36, Sacramento, CA 94274-0001, Phone (916) 654-6473, FAX (916) 651-9359 for additional information or to obtain a sign permit application. Additional information on Caltrans Outdoor Advertising Permit requirements may also be found on the Internet at www.dot.ca.gov/hq/oda.
5. If work will need to be performed within, under or over the State highway rights-of-way, an encroachment permit must be obtained. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

If there are questions regarding these comments, please contact me at (559) 488-7307.

Sincerely,



JAMAICA GENTRY
Transportation Planner
Transportation Planning - North



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT



March 8, 2018

Becky Beavers
County of Madera
Planning Division
200 West 4th Street, Suite 3100
Madera, CA 93637

Project: CUP 2018-004 – Garret Shingu (Elderberry Heights)

District CEQA Reference No: 20180245

Dear Ms. Beavers:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project consisting of a Conditional Use Permit to allow Continuum of Care Senior Community (Elderberry Heights) consisting of 27 independent living cottages, 54 units of assisted and memory care, and 27 units of assisted living apartments (Project) located on the southwest corner of Highway 41 and Victoria Lane (no situs), in Oakhurst, CA. (APN: 064-080-073) The District offers the following comments:

1. Significance Impact for Annual Criteria Pollutants Emissions – The Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. District Rule 9510 (Indirect Source Review) - At full build-out, the Project will be equal to or exceed 50 residential dwelling units. Therefore, the District concludes that the Project is subject to District Rule 9510.

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment

Sayed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

(AIA) application to the District no later than applying for final discretionary approval. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

3. District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants) - In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.
4. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm
5. Other District Rules and Regulations – The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the Project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888 or e-mail SBA@valleyair.org. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.
6. Potential Air Quality Improvement Measures - The District encourages the following air quality improvement measures to further reduce Project related emissions from construction and operation. A complete list of potential air quality improvement measures can be found online at: <http://www.valleyair.org/ceqaconnected/aqimeasures.aspx>.

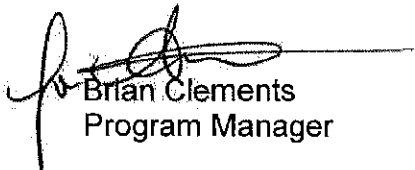
- a. Cleaner Off-Road Construction Equipment – This measure is to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
- b. Improve Walkability Design – This measure is to improve design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.
- c. Improve Destination Accessibility – This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the (vehicle miles traveled) VMT.
- d. Increase Transit Accessibility – This measure is to locate the project with high density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:
 - A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or
 - A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
 - Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations
 - Neighborhood designed for walking and cycling
- e. Voluntary Emission Reduction Agreement - Design elements, mitigation measures, and compliance with District rules and regulations may not be

sufficient to reduce project-related impacts on air quality to a less than significant level. In such situation, project proponents may enter into a Voluntary Emission Reduction Agreement (VERA) with the District to reduce the project related impact on air quality to a less than significant level. A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of air emissions increases through a process that funds and implements emission reduction projects. A VERA can be implemented to address impacts from both construction and operational phases of a project.

The District recommends that a copy of the District's comment letter be provided to the Project proponent. District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this Project. If you have any questions or require further information, please call Georgia Stewart at (559) 230- 5937 or e-mail georgia.stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20180245.

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

AM: gs

INITIAL STUDY

Title of Proposal: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)

Date Checklist Submitted: March 20, 2018

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Becky Beavers

Phone: (559) 675-7821

Description of Initial Study/Requirement

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have significant effects on the environment. In the case of the proposed project, the Madera County Planning Department, acting as lead agency, will use the initial study to determine whether the project has a significant effect on the environment. In accordance with CEQA, Guidelines (Section 15063[a]), an environmental impact report (EIR) must be prepared if there is substantial evidence (such as results of the Initial Study) that a project may have significant effect on the environment. This is true regardless of whether the overall effect of the project would be adverse or beneficial. A negative declaration (ND) or mitigated negative declaration (MND) may be prepared if the lead agency determines that the project would have no potentially significant impacts or that revisions to the project, or measures agreed to by the applicant, mitigate the potentially significant impacts to a less-than-significant level.

The initial study considers and evaluates all aspects of the project which are necessary to support the proposal. The complete project description includes the site plan, operational statement, and other supporting materials which are available in the project file at the office of the Madera County Planning Department.

Description of Project:

The request is for a Conditional Use Permit to allow the development of a continuum of care, senior community. The project is the development of a senior living facility, to be fully-licensed as a Residential Care Facility for the Elderly. All care givers are continuously trained. The care givers in the memory care facility must be trained by a State approved training program. The project proposes 27 independent living units in the form of duplexes and one triplex. There will be seven (7) one bedroom, 900 square foot units with a one car garage; 16 two bedroom, 1,100 square foot apartments with a one car garage; and four (4) two bedroom plus den, 1,250 square foot apartments with a two car garage. There will be 27 senior apartments in a two-story building comprising 40,000 square feet.

The facility will also have a 40,000 square foot, two-story assisted living and memory care facility. On the first floor there will be 27 beds for assisted living, a kitchen, dining room, activity room, lobby and community center. The second floor will accommodate 27 beds for memory care, a kitchen, dining room, and activity room.

The buildings will be spread out over a 12.77 acre parcel with internal paved roadways, 46 parking spaces and landscaping. Access to the site will be Victoria Lane.

Project Location:

The proposed project is located on the southwest corner of Highway 41 and Victoria Lane in the Oakhurst area and will be a senior living facility. The elevation varies from 2,365 to 2,405 feet above mean sea level. The elevation increases toward the southern portion of the property. There are no streams or major rock out croppings. There is a natural drainage course on the most western property line. To the north off Victoria Lane is a church. All other surrounding properties are vacant or residential.

Applicant Name and Address:

Shingu, Garrett
PO Box 3162
Monterey, CA 93942

General Plan Designation:

The General Plan designates this parcel as HDR (High Density Residential).

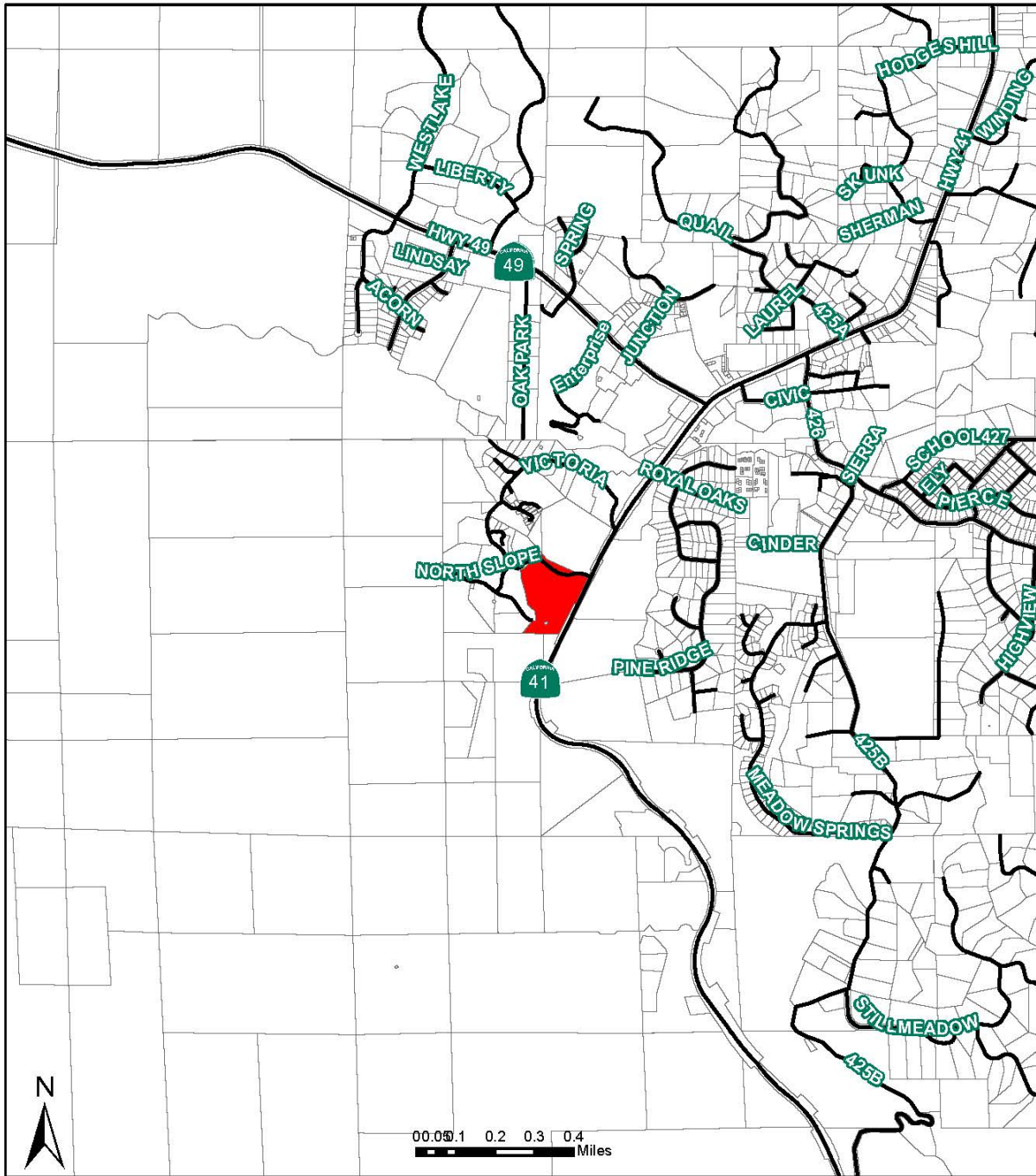
Zoning Designation:

The property is zoned PDD (Planned Development) District

Surrounding Land Uses and Setting:

To the north off Victoria Lane is a church. All other surrounding properties are vacant or residential.

Other Public Agencies whose approval is required: None



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.


- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

Completed by the Lead Agency: Madera County Planning Department

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 Signature	<u>March 20, 2018</u> Date
--	-------------------------------

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

CATEGORY	ANALYSIS SUMMARY (See individual pages for details)				Comments
	Potentially Significant Impact				
	Less than Significant Impact with Project Mitigation				
	Less than Significant Impact				
	No Impact				
1. AESTHETICS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All outdoor lighting must be hooded and directed away from neighboring parcels and roadways.
2. AGRICULTURE/FORESTRY RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. AIR QUALITY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comply San Joaquin Valley Air Pollution Control District conditions including Rule VIII, 9510 and 4002
4. BIOLOGICAL RESOURCES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If elderberry shrubs are found a on the property, one hundred foot buffer zone must exist around all elderberry shrubs.
5. CULTURAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. GEOLOGY/SOILS/SEISMICITY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. GREENHOUSE GAS EMISSIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. HAZARDS/HAZARDOUS MATERIALS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. HYDROLOGY/WATER QUALITY	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. LAND USE/LAND USE PLANNING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. MINERAL RESOURCES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. NOISE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. POPULATION/HOUSING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. PUBLIC SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. RECREATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. TRANSPORTATION/TRAFFIC	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. UTILITIES/SERVICE SYSTEMS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
18. MANDATORY FINDINGS OF SIGNIFICANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All of the above.

1. Aesthetics

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) No Impact

The project site is located in a sparsely populated area in Oakhurst. The facility will spread over a 12.77 acre parcel with upscale one and two story buildings. Drought resistant landscaping will be planted throughout the facility.

(b) Less than Significant Impact

There are no outcroppings or historic buildings on this parcel, it is vacant. Some trees may need to be removed but additional trees will be planted.

(c) Less than Significant Impact

The project would alter the existing visual character of the site and its immediate surroundings by introducing a new one and two-story buildings on a currently vacant property. The project is not expected to significantly degrade the existing visual character of the area. The project would decrease open space and increase densities on the site. The project proposes to minimize the impacts on the adjacent properties by incorporating landscaping and the design of the buildings that fit into the landscaping.

(d) Less than Significant Impact with Mitigation Incorporated

With 29 new buildings being proposed for this area, what is referred to as “light pollution” will increase. This is due to both internal and external lighting for each structure. A condition has been proposed that all outdoor light be hooded and directed away from neighboring properties and roadways.

General Information:

A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Light pollution, as defined by the International dark-Sky Association, is any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste. Two elements of light pollution may affect city residents: sky glow and light trespass. Sky glow is a result of light fixtures that emit a portion of their light directly upward into the sky where light scatters, creating an orange-yellow glow above a city or town. This light can interfere with views of the nighttime sky and can diminish the number of stars that are visible. Light trespass occurs when poorly shielded or poorly aimed fixtures cast light into unwanted areas, such as neighboring property and homes.

Light pollution is a problem most typically associated with urban areas. Lighting is necessary for nighttime viewing and for security purposes. However, excessive lighting or inappropriately designed lighting fixtures can disturb nearby sensitive land uses through indirect illumination. Land uses which are considered “sensitive” to this unwanted light include residences, hospitals, and care homes.

Daytime sources of glare include reflections off of light-colored surfaces, windows, and metal details on cars traveling on nearby roadways. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times.

2. Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project will not convert Farmland of Statewide Importance to non-agricultural use. Project site soils are designated "Developed and Built-up Lands" on the 2012 Madera County Important Farm Land Map prepared by the California Department of Conservation. The soil is made of a combination of Holland sandy loam and Cuyamaca rocky sandy loam. Both the Holland and Cuyamaca series are derived from the weathering in place of granitic rocks.

(b) No Impact

The project will not convert land. The lands surrounding the site are vacant and a church. The use of the site will not interfere with any agricultural uses in the area so it is anticipated the project will have a no impact.

(c - e) No Impact

The project is not subject to the Williamson Act. The proposed project is not significantly displacing the existing agricultural operation or within any Timberland Protection zone.

General Information:

The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The Department of Conservation oversee the Farmland Mapping and Monitoring Program. The Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California’s agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program’s definition of land is below:

PRIME FARMLAND (P): Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

FARMLAND OF STATEWIDE IMPORTANCE (S): Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a - e) Less than Significant Impact with Mitigation Incorporated

The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District standards. The project is subject to the requirements for District Rule 9510 for Indirect Source Emissions and during construction, District Rule VIII. The SJVAPCD has attainment plans in place that identify strategies to bring regional emissions into compliance with federal and state air quality standards. The proposed senior living center is in conformance with Madera County zoning and land use designations. To ensure the proposed project complies with applicable SJVAPCD rules and regulations, mitigation measures would be required.

General Information:

Global Climate Change

Climate change is a shift in the “average weather” that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is “very high confidence” (by IPCC definition a 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

CEQA requires an agency to engage in forecasting “to the extent that an activity could reasonably be expected under the circumstances. An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal” (CEQA Guidelines Section 15144, Office of Planning and Research commentary, citing the California Supreme Court decision in Laurel Heights Improvement Association v. Regents of the University of California [1988] 47 Cal. 3d 376).

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

4. Biological Resources

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

No comments were received from California Fish and Wildlife. There are special status species known to exist, or have historically been existing within the vicinity. Within the Oakhurst area, the most obvious area wild life are the large hawks, migrating turkey vultures and occasional eagles that patrol the skies. Dozens of other avian species, including barn owls, prowl the lower airways. The area is characterized by foothill and oak woodland habitats together with interior oak, pine and mixed chaparral biotic habitat characteristic of the Sierra Nevada foothills. Important corridors of riparian habitat along creeks and rivers are located throughout the planning area. There are no known riparian habitats, streams or drainages on site. A biological field survey was conducted in 2006. Elderberry shrubs were identified on the property. Shrubs under one inch in stem diameter at ground level are not protected. Shrubs growing at an elevation greater than 3,000 feet are not protected. Guidelines provided by Fish and Wildlife Service state that a one hundred foot buffer zone must exist around all elderberry shrubs. Oak trees are also located on the parcel.

(b - f) No Impact

The project does not contain any natural riparian habitat or designated wetlands. In addition, it is not redirecting, obstructing or change a wildlife corridor for native resident species. The project does not reside within an existing habitat conservation plan.

General Information:

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);
- Animals listed as “fully protected” in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society’s (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

A review of both the County’s and Department of Fish and Game’s databases for special status species have identified the following species:

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
foothill yellow-legged frog	None	Candidate	SSC	-
An andrenid bee	None	None	-	-

western bumble bee	None	None	-	-
Valley elderberry longhorn beetle	Threatened	None	-	-
Sierra Nevada red fox	Candidate	Threatened	-	-
western pond turtle	None	None	SSC	-
Hall's wyethia	None	None	-	4.3
orange lupine	None	None	-	1B.2
Mariposa pussypaws	Threatened	None	-	1B.1
Yosemite evening-primrose	None	None	-	4.3
Kings River monkeyflower	None	None	-	3
slender-stalked monkeyflower	None	None	-	1B.2
Gray's monkeyflower	None	None	-	4.3
Madera leptosiphon	None	None	-	1B.2
Ewan's larkspur	None	None	-	4.2

List 1A: Plants presumed extinct

List 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.

List 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere

List 3: Plants which more information is needed – a review list

List 4: Plants of Limited Distributed - a watch list

Ranking

0.1 – Seriously threatened in California (high degree/immediacy of threat)

0.2 – Fairly threatened in California (moderate degree/immediacy of threat)

0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known)

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk's Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

The Valley elderberry longhorn beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the USFWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

5. Cultural Resources

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - d) Less than Significant Impact

The project site is located in the Oakhurst area where there are known archeological sites. However, a study was done in 2006 that showed that no archeological or historical features of any significance exist on the parcel. Notification went to the local Tribes, no responses have been received.

General Information:

Public Resource Code 5021.1(b) defines a historic resource as “any object building, structure, site, area or place which is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.” These resources are of such import, that it is codified in CEQA (PRC Section 21000) which prohibits actions that “disrupt, or adversely affect a prehistoric or historic archaeological site or a property of historical or cultural significance to a community or ethnic or social groups; or a paleontological site except as part of a scientific study.”

Archaeological importance is generally, although not exclusively, a measure of the archaeological research value of a site which meets one or more of the following criteria:

- Is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory.
- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions.
- Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
- Is at least 100 years old and possesses substantial stratigraphic integrity (i.e. it is essentially undisturbed and intact).
- Involves important research questions that historic research has shown can be answered only with archaeological methods.

Reference CEQA Guidelines §15064.5 for definitions.

Most of the archaeological survey work in the County has taken place in the foothills and mountains. This does not mean, however, that no sites exist in the western part of the County, but rather that this area has not been as thoroughly studied. There are slightly more than 2,000 recorded archaeological sites in the County, most of which are located in the foothills and mountains. Recorded prehistoric artifacts include village sites, camp sites, bedrock milling stations, pictographs, petroglyphs, rock rings, sacred sites, and resource gathering areas. Madera County also contains a significant number of potentially historic sites, including homesteads and ranches, mining and logging sites and associated features (such as small camps, railroad beds, logging chutes, and trash dumps.

6. Geology and Soils

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a-e) No Impact

The soil is made of a combination of Holland sandy loam and Cuyamaca rocky sandy loam. Both the Holland and Cuyamaca series are derived from the weathering in place of granitic rocks. Holland series is also derived from similar quartz bearing, crystalline rocks. Cuyamaca soils are brown or grayish-brown, slightly acid, and have well-defined clay accumulation in the subsoil. They are similar to the Holland soils, but differ in color, and contain more clay in the subsoil. Holland soils are brown and slightly acid. They are formed in areas where winter rainfall is from 25 to 60 inches, and the summers are long and dry. They have the distinct accumulation of organic matter on the surface. Both soils general have good surface drainage, internal drainage is somewhat restricted by dense subsoil. Holland soils are found in areas that are rolling to hilly. Where Cuyamaca is found in areas that are hilly to steep.

Foothill and Sierra Nevada regions of California are areas that are crossed by very few faults. There is an unnamed fault line that crosses through the southeastern portion of the County and is a part of the Hartley Springs Fault Zone. As such, the chances of rupture of faults in the vicinity are less than likely. Chances are better in feeling shock waves from faultlines that do rupture, depending on their magnitude.

General Information:

Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

The foothill area of the county is essentially a transition zone, containing old alluvial soils that have been dissected by the west-flowing rivers and streams which carry runoff from the Sierra Nevada's.

Seismicity varies greatly between the two major geologic provinces represented in Madera County. The Central valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada's, partly within Madera County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Ranges on the west side of the Central Valley are also a result of these forces, and continued movement of the Pacific and North American tectonic plates continues to elevate the ranges. Most of the seismic hazards in Madera County result from movement along faults associated with the creation of these ranges.

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep.

However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

San Andreas Fault: The San Andreas Fault lies approximately 45 miles west of the county line. The fault has a long history of activity and is thus a concern in determining activity in the area.

Owens Valley Fault Group: The Owens Valley Fault Group is a complex system containing both active and potentially active faults on the eastern base of the Sierra Nevada Range. This group is located approximately 80 miles east of the County line in Inyo County. This system has historically been the source of seismic activity within the County.

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake,

Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

In addition, the Clovis Fault, although not having any historic evidence of activity, is considered to be active within quaternary time (within the past two million years), is considered potentially active. This fault line lies approximately six miles south of the Madera County line in Fresno County. Activity along this fault could potentially generate more seismic activity in Madera County than the San Andreas or Owens Valley fault systems. However, because of the lack of historic activity along the Clovis Fault, there is inadequate evidence for assessing maximum earthquake impacts.

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the County's seismic setting and its record of historical activity (General Plan Background Element and Program EIR). The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

According to the Madera County General Plan Background Report, groundshaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas.

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shaking. According to the Madera County General Plan Background Report, although there are areas of Madera County where the water table is at 30 feet or less below the surface, soil types in the area are not conducive to liquefaction because they are either too coarse in texture or too high in clay content; the soil types mitigate against the potential for liquefaction.

7. Greenhouse Gas Emissions

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - b) No Impact

The greenhouse emissions generated by the project would not be substantial as the uses will be related to a senior living center, therefore, the majority of the trips generated will likely travel a limited distance from Highway 41 to the project site. In addition, the proposed construction of each building will need to comply with building standards which require measures that attempt to mitigate GHG generation.

General Information:

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25% overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan's GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

8. Hazards and Hazardous Materials

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed facility would not involve the routine transport, use, or disposal of hazardous materials. The facility would use small quantities of miscellaneous household cleaning supplies and other chemicals. These materials would be stored and used in accordance with the manufacturer's specifications.

(b) No Impact

No impacts are identified. As mentioned above, no materials will be onsite, and thus will not constitute a hazard to surrounding properties.

(c) No Impact

The proposed residential facility will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school.

(d) No Impact

The project is not located on a site that is included on a list of hazardous materials sites as per Government Code Section 65962.5 (Cortese List).

(e) No Impact

The project site is not within an Airport/Airspace Overlay District nor within proximity to any known airports and airstrips. No impacts are identified.

(f) No Impact

The project site is not within an Airport/Airspace Overlay District nor within proximity to any known airports and airstrips. No impacts are identified.

(g) No Impact

No impacts are identified as a result of this project.

(h) No Impact

The area is not located in a wildfire risk area. Normal operations will not pose significant risk of fire.

General Information:

Any hazardous material because of its quantity, concentration, physical or chemical properties, pose a significant present or potential hazard to human health and safety, or the environment the California legislature adopted Article I, Chapter 6.95 of the Health and Safety Code, Sections 25500 to 25520 that requires any business handling or storing a hazardous material or hazardous waste to establish a Business Plan. The information obtained from the completed Business Plans will be provided to emergency response personnel for a better-prepared emergency response due to a release or threatened release of a hazardous material and/or hazardous waste.

Business owners that handle or store a hazardous material or mixtures containing a hazardous material, which has a quantity at any one time during the year, equal to or greater than:

- 1) A total of 55 gallons,
- 2) A total of 500 pounds,
- 3) 200 cubic feet at standard temperature and pressure of compressed gas,
- 4) any quantity of Acutely Hazardous Material (AHM).

Assembly Bill AB 2286 requires all business and agencies to report their Hazardous Materials Business Plans to the Certified Unified Program Agency (CUPA) information electronically at <http://cers.calepa.ca.gov>

9. Hydrology and Water Quality

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The project would not violate any water quality standards or waste discharge requirements shall comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES).

(b) No Impact

The project would not deplete or otherwise affect groundwater supplies or recharge, since the project is not located within a groundwater recharge area.

(c) Less than Significant Impact

Construction of the project will require grading activities that could result in a temporary increase in erosion affecting the quality of storm water runoff. This increase in erosion is expected to be minimal, due to the small size and flatness of the site. The project will implement the standard measures identified below to minimize erosion and water quality impacts.

(d) Less than Significant Impact

The project would increase the impervious area and associated storm runoff from the site. The project will be required to retain all storm water onsite consistent with NPDES Permit will reduce potential drainage/runoff impacts to a less-than significant level.

(e) Less than Significant Impact

The project will be required to retain all storm water onsite and is not expected to contribute runoff that will result in substantial additional sources of polluted runoff.

(f) Less than Significant Impact

Surface runoff from proposed development may contain urban pollutants. Runoff from driveways could include oil, grease, and trace metals. The project could also generate urban pollutants related to the use of fertilizers, pesticides, and herbicides on landscaped areas. All storm water must be retained onsite.

(g) No Impact

The project is not located within a floodplain or flood hazard zone.

(h) No Impact

The project site is not located within any flood hazard zones, thus it will not impede or redirect flood flows.

(i) No Impact

The project is not located within a floodplain or flood hazard zone.

(j) No Impact

The project site is not located in an area subject to significant seiche, tsunami, or mudflow risk.

General Information:

Groundwater quality contaminants of concern in the Valley Floor include high salinity (total dissolved solids), nitrate, uranium, arsenic, methane gas, iron, manganese, slime production, and dibromochloropropane with the maximum contaminant level exceeded in some areas. Despite the water quality issues noted above, most of the groundwater in the Valley Floor is of suitable quality for irrigation. Groundwater of suitable quality for public consumption has been demonstrated to be present in most of the area at specific depths.

Groundwater quality contaminants of concern in the Foothills and Mountains include manganese, iron, high salinity, hydrogen sulfide gas, uranium, nitrate, arsenic, and methylbutylethylene (MTBE) with the maximum concentration level being exceeded in some areas. Despite these problems, there are substantial amounts of good-quality groundwater in each of the areas evaluated in the Foothills and Mountains. Iron and manganese are commonly removed by treatment. Uranium treatment is being conducted on a well by the Bass Lake Water Company.

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes or changes in barometric pressure. A tsunami is an unusually large sea wave produced by seaquake or undersea volcanic eruption (from the Japanese language, roughly translated as "harbor wave"). According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. As this property is not located near any bodies of water, no impacts are identified.

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

10. Land Use and Planning

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The proposed project is a senior living center that includes duplex/triplex, apartments, assisted living and memory care units. Surrounding uses consist a church to the north off Victoria Lane and all other surrounding properties are vacant or residential. The proposed project would not divide an established community.

(b) No Impact

The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

(c) No Impact

There is not an adopted habitat conservation plan or natural community conservation plan for the proposed project location.

11. Mineral Resources

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project site does not have any known mineral resources and has not been identified a locally important recovery site by any plan.

(b) No Impact

No resource recovery sites are in the vicinity of this project. No impacts identified as a result of this project.

12. Noise

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed assisted living facility is considered a noise-sensitive use. The development of the proposed assisted living facility is not expected to result in permanent noise increases from any operational sources. Noise will be generated on the site in the short-term from construction activities.

(b) No Impact

The proposed project is not subject to groundborne vibration, nor would it generate any permanent source of groundborne vibration at nearby sensitive receptors.

(c) Less than Significant Impact

The proposed assisted living facility is considered a noise-sensitive use. The development of the proposed assisted living facility is not expected to result in permanent noise increases from any operational sources. Noise will be generated on the site in the short-term from construction activities.

(d) No Impact

Construction of the project will temporarily elevate noise levels in the immediate project area from the use of construction equipment.

(e - f) No Impact

This project is not within proximity to an airstrip or airport or an airport/airspace overlay district.

General Discussion:

The Noise Element of the Madera County General Plan (Policy 7.A.5) provides that noise which will be created by new non-transportation noise sources shall be mitigated so as not to exceed the Noise Element noise level standards on lands designated for noise-sensitive uses. However, this policy does not apply to noise levels associated with agricultural operations. All the surrounding properties, while include some residential units, are designated and zoned for agricultural uses. This impact is therefore considered less than significant.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g. demolition/land clearing, grading and excavation, erection). The United States Environmental Protection Agency has found that

the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA Leq, with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods.

Short Term Noise

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

Long Term Noise

Mechanical building equipment (e.g. heating, ventilation and air conditioning systems, and boilers), associated with the proposed structures, could generate noise levels of approximately 90 dBA at 3 feet from the source. However, such mechanical equipment systems are typically shielded from direct public exposure and usually housed on rooftops, within equipment rooms, or within exterior enclosures.

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, associated with the proposed operations could result in intermittent noise levels that range from approximately 80 to 100 dBA at 3 feet, respectively. Based on an equipment noise level of 100 dBA, landscape maintenance equipment (assuming a noise attenuation rate of 6 dBA per doubling of distance from the source) may result in exterior noise levels of approximately 75 dBA at 50 feet.

MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
NON-TRANSPORTATION NOISE SOURCES*

		Residential	Commercial	Industrial (L)	Industrial (H)	Agricultural
Residential	AM	50	60	55	60	60
	PM	45	55	50	55	55
Commercial	AM	60	60	60	65	60
	PM	55	55	55	60	55
Industrial (L)	AM	55	60	60	65	60
	PM	50	55	55	60	55
Industrial (H)	AM	60	65	65	70	65
	PM	55	60	60	65	60
Agricultural	AM	60	60	60	65	60
	PM	55	55	55	60	55

*As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers at the property line.

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

Note: Each of the noise levels specified above shall be lowered by 5 dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).

Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings

0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations	Architectural damage and possibly minor structural damage
Source: Whiffen and Leonard 1971		

13. Population and Housing

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project proposes 108 assisted care residential units for the elderly and would not result in substantial population growth. The facility is proposed to accommodate the existing aging population within the Madera County.

(b - c) No Impact

The project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing.

General Information:

According to the California Department of Finance, in January of 2012, the County wide population was 152,074 with a total of 49,334 housing units. This works out to an average of 3.33 persons per housing unit. The vacancy rate was 11.84%.

14. Public Services

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-i – a-ii) Less than Significant Impact

The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sheriff’s Department. The proposed project will have no impact on local parks and will not create demand for additional parks. Development fees include capital facilities fees which contribute to police and fire services.

The Madera County Fire Department exists through a contract between Madera County and the CALFIRE (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an “Amador Plan” contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

Crime and emergency response is provided by the Madera County Sheriff’s Department. There will be an incidental need for law enforcement in the event of theft or vandalism on the project site.

(a-iii) No Impact

The project is within the Bass Lake School District. This will be a senior living facility. No impact to the school system is anticipated.

(a-iv) No Impact

The project is not subject to the Quimby Act fee that was established for development of park facilities within Madera County. That fee is dependent on the number of units which can be built by the project and would be required to be paid prior to final recordation of a map. The project is not zoned for residential and therefore is not subject to the fee.

(a-v) Less than Significant Impact

The Madera County Fire Station #12 is located approximately 1 miles north of the project site, in the Oakhurst. The operation of the senior living center project is located in the Hillview District. Sprinklers will be required. Compliance with measures as set forth by the Fire Department would be required as conditions of approval and would reduce fire risk and hazard to levels found acceptable by the Madera County Fire Department.

The Madera County Sheriff Department, located in Oakhurst, provides service to the project area. The Madera County Sheriff Department located approximately 1 miles to the north provides service to the project area.

General Information:

The proposed project site is within the jurisdiction of the Madera County Fire Department. Crime and emergency response is provided by the Madera County Sherriff's Department. The proposed project will have no impact on local parks and will not create demand for additional parks.

The Madera County Fire Department exists through a contract between Madera County and the CALFIRE (California Department of Forestry and Fire Prevention) and operates six stations for County responses in addition to the state-funded CALFIRE stations for state responsibility areas. Under an "Amador Plan" contract, the County also funds the wintertime staffing of four fire seasonal CALFIRE stations. In addition, there are ten paid-call (volunteer) fire companies that operate from their own stations. The administrative, training, purchasing, warehouse, and other functions of the Department operate through a single management team with County Fire Administration.

A Federal Bureau of Investigations 2009 study suggests that there is on average of 2.7 law enforcement officials per 1,000 population for all reporting counties. The number for cities had an average of 1.7 law enforcement officials per 1,000 population.

Single Family Residences have the potential for adding to school populations. The average per Single Family Residence is:

Grade	Student Generation per Single Family Residence
K – 6	0.425
7 – 8	0.139
9 – 12	0.214

The Madera County General Plan allocates three acres of park available land per 1,000 residents' population.

15. Recreation

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

No impact identified as a result of this project. The proposed development would not be subject to the Quimby Act fees, as previously mentioned, due to the project not being zoned residential.

(b) No Impact

No impacts are identified as a result of this project. See above.

General Information:

The Madera County General Plan allocates three acres of park available land per 1,000 residents' population.

16. Transportation/Traffic

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards, established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a - b) Less than Significant Impact

The project would generate 280 daily vehicle trips, based on the Institute of Transportation Engineer’s (ITE) rates of 2.87 trips per bed daily, 0.22 trips per bed AM peak hour, and 0.25 trips per bed PM peak hour. This minor increase in traffic is not anticipated to affect level of service on the roadway or nearby intersections, nor violate the Madera County Level of Service Policy.

(c) No Impact

The site is not located in the vicinity of an airport or airstrip, nor is it in an Airport/Airspace Overlay District. No impacts anticipated as a result of this project. The project is not large enough to significantly affect air traffic patterns of the area. In addition, there are no alternative transportation plans or policies in the area which would be affected. Emergency access will be enhanced by the project through the development of standards required by the Madera County Road Department.

(d - f) No Impact

No impacts are anticipated as a result of this project.

General Information:

According to the Institute of Traffic Engineers (9th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57.

Madera County currently uses Level Of Service “D” as the threshold of significance level for roadway and intersection operations. The following charts show the significance of those levels.

Level of Service	Description	Average Control Delay (sec./car)
A	Little or no delay	0 – 10
B	Short traffic delay	>10 – 15
C	Medium traffic delay	> 15 – 25
D	Long traffic delay	> 25 – 35
E	Very long traffic delay	> 35 – 50
F	Excessive traffic delay	> 50

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Signalized intersections.

Level of service	Freeways	Two-lane rural highway	Multi-lane rural highway	Expressway	Arterial	Collector
A	700	120	470	720	450	300
B	1,100	240	945	840	525	350
C	1,550	395	1,285	960	600	400
D	1,850	675	1,585	1,080	675	450
E	2,000	1,145	1,800	1,200	750	500

Capacity per hour per lane for various highway facilities

Madera County is predicted to experience significant population growth in the coming years (62.27 percent between 2008 and 2030). Accommodating this amount of growth presents a challenge for attaining and maintain air quality standards and for reducing greenhouse gas emissions. The increase in population is expected to be accompanied by a similar increase in vehicle miles traveled (VMT) (61.36 percent between 2008 and 2030).

Horizon Year	Total Population (thousands)	Employment (thousands)	Average Weekday VMT (millions)	Total Lane Miles
2010	175	49	5.4	2,157
2011	180	53	5.5	NA
2017	210	63	6.7	NA
2020	225	68	7.3	2,264
2030	281	85	8.8	2,277

Source: MCTC 2007 RTP

The above table displays the predicted increase in population and travel. The increase in the lane miles of roads that will serve the increase in VMT is estimated at 120 miles or 0.94 percent by 2030. This indicates that roadways in Madera County can be expected to become much more crowded than is currently experienced.

Emissions of CO (Carbon Monoxide) are the primarily mobile-source criteria pollutant of local concern. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed and delay. Carbon monoxide transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). As a result, the SJVAPCP recommends analysis of CO emissions of at a local rather than regional level. Local CO concentrations at intersections projected to operate at level of service (LOS) D or better do not typically exceed national or state ambient air quality standards. In addition, non-signalized intersections located within areas having relatively low background concentrations do not typically have sufficient traffic volumes to warrant analysis of local CO concentrations.

17. Utilities and Service Systems

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed project will be hooked up 10 MD 22A for wastewater treatment requirements.

(b - d) Less than Significant Impact

The proposed project will be connect to Hillview Water District. The development of the project may incrementally increase water demands and wastewater generation; however, this minor increase would not require or result in the construction of new water or wastewater treatment facilities or any expansion of existing facilities. In addition, the drainage which exists on the properties will be constructed in a fashion not to contaminate or interfere with septic or water facilities.

(e - g) No Impact

The project will connect to MD 22A, a wastewater treatment provider in the area where there is adequate capacity for the proposed project. The Fairmead Landfill was recently expanded to allow for a higher capacity of solid waste and could therefore serve this project. Solid waste will be picked up by Emadco.

General Discussion:

Madera County has 34 County Service Areas and Maintenance Districts that together operate 30 small water systems and 16 sewer systems. Fourteen of these special districts are located in the Valley Floor, and the remaining 20 special districts are in the Foothills and Mountains. MD-1 Hidden Lakes, Bass Lake (SA-2B and SA-2C) and SA-16 Sumner Hill have surface water treatment plants, with the remaining special districts relying solely on groundwater.

The major wastewater treatment plants in the County are operated in the incorporated cities of Madera and Chowchilla and the community of Oakhurst. These wastewater systems have been recently or are planned to be upgraded, increasing opportunities for use of recycled water. The cities of Madera and Chowchilla have adopted or are in the process of developing Urban Water Management Plans. Most of the irrigation and water districts have individual groundwater management plans. All of these agencies engage in some form of groundwater recharge and management.

Groundwater provides almost the entire urban and rural water use and about 75 percent of the agricultural water use in the Valley Floor. The remaining water demand is met with surface water. Almost all of the water use in the Foothills and Mountains is from groundwater with only three small water treatment plants relying on surface water from the San Joaquin River and its tributaries.

In areas of higher precipitation (Oakhurst, North Fork, and the topographically higher part of the Coarsegold Area), groundwater recharge is adequate for existing uses. However, some problems have been encountered in parts of these areas due to well interference and groundwater quality issues. In areas of lower precipitation (Raymond-Hensley Lake and the lower part of the Coarsegold area), groundwater recharge is more limited, possibly requiring additional water supply from other sources to support future development.

Madera County is served by a solid waste facility (landfill) in Fairmead. There is a transfer station in North Fork. The Fairmead facility also provides for Household Hazardous Materials collections on Saturdays. The unincorporated portion of the County is served by Red Rock Environmental Group. Above the 1000 foot elevation, residents are served by EMADCO services for solid waste pick-up.

18. Mandatory Findings of Significance

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

The project, as proposed, does have some impacts which will need to be mitigated in order to limit the effect on humans, historical and cultural resources, habitat and resources. Mitigation measures listed above do mitigate the potential impacts to a less than significant level. The size of the project is not significant enough to have an impact by itself, thus, the mitigation measures can offset what impacts are created.

General Information:

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1).
- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2).
- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

**Documents/Organizations/Individuals Consulted
In Preparation of this
Initial Study**

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

Caltrans website http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm accessed October 31, 2008

California Department of Fish and Game "California Natural Diversity Database"
<http://www.dfg.ca.gov/biogeodata/cnddb/>

Madera County Integrated Regional Water Management Plan.

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012

MITIGATED NEGATIVE DECLARATION

MND 2018-05

RE: Shingu, Garrett - Conditional Use Permit - Oakhurst (064-080-073-000)

Location and Description of Project:

The proposed project is located on the southwest corner of Highway 41 and Victoria Lane in the Oakhurst area and will be a senior living facility a Continuum of Care Senior Community. The project proposes 27 independent living units in the form of duplexes and one triplex. There will be seven (7) one bedroom, 900 square foot units with a one car garage; 16 two bedroom, 1,100 square foot apartments with a one car garage; and four (4) two bedroom plus den, 1,250 square foot apartments with a two car garage. There will be 27 senior apartments in a two-story building comprising 40,000 square feet.

Environmental Impact:

No adverse environmental impact is anticipated from this project. The following mitigation measures are included to avoid any potential impacts.

Basis for Negative Declaration:

SEE ATTACHED



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 200 West 4th Street, Madera, California.

DATED: March 20, 2018

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2018-005

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
1	All outdoor lighting must be hooded and directed away from neighboring parcels and roadways.	Planning	Planning					
Agricultural Resources								
Air Quality								
2	Comply San Joaquin Valley Air Pollution Control District conditions	SJVAPCD	SJVAPCD					
3	The construction phase of the project is subject to District Regulation VIII, administered by the San Joaquin Valley Unified Air Pollution Control District, may be subject to the permitting requirements of the Air District. The applicant shall consult with the Air District to determine how this regulation will be implemented for the project.	SJVAPCD	SJVAPCD					
4	The project is subject to District Rule 9510 and therefore, is required to submit an Air Impact Assessment (AIA) Application to the District no later than applying for final discretionary approval. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval.	SJVAPCD	SJVAPCD					
5	In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated.	SJVAPCD	SJVAPCD					
Biological Resources								
Cultural Resources								
Geology and Soils								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
	Hazards and Hazardous Materials							
	Hydrology and Water Quality							
	Land Use and Planning							
	Mineral Resources							
	Noise							
	Population and Housing							
	Public Services							
	Recreation							
	Transportation and Traffic							
	Utilities and Service Systems							