



# Community and Economic Development Planning Division

Jamie Bax  
Deputy Director

- 200 W. 4<sup>th</sup> 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: August 6, 2019**

**AGENDA ITEM: #1**

PRJ	#2019-003	Conditional Use Permit to allow a Continuum of Care
CUP	#2019-012	Senior Community
CZ	#2019-002	Rezone to PDD (Planned Development District)
APN	#064-080-087	Applicant: Garrett Shingu
CEQA	MND #2019-15	Mitigated Negative Declaration

**REQUEST:**

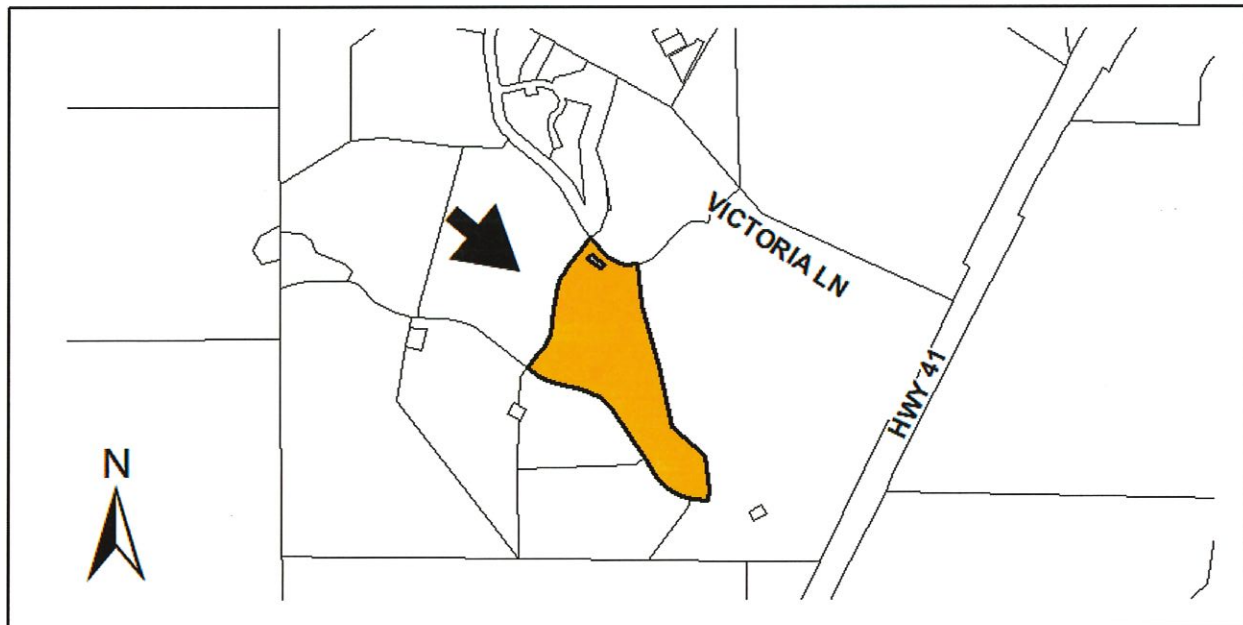
This is a request for a Conditional Use Permit for 34 Units of Senior Apartments for a Continuum of Care Senior Community - Village 3 and a Rezone from Residential, Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD).

**LOCATION:**

On the South corner of North Slope Lane & Victoria Lane (no situs), Oakhurst.

**ENVIRONMENTAL ASSESSMENT:**

A Mitigated Negative Declaration (MND#2019-15) has been prepared and is subject to approval by the Planning Commission.



**RECOMMENDATION:**

Staff recommends approval of PRJ #2019-003 subject to conditions, Mitigated Negative Declaration #2019-15 and the Mitigation Monitoring Program.

**PRJ#2019-003  
STAFF REPORT**

**GENERAL PLAN DESIGNATION (Exhibit A):**

**SITE:** HDR (High Density Residential) Designation

**SURROUNDING:** LDR (Low Density Residential) Designation

**ZONING (Exhibit B):**

**SITE:** RRS-2 1/2 (Residential, Rural, Single Family) 2 ½ Acre District

**SURROUNDING:** RRS-2 1/2 (Residential, Rural, Single Family) 2 ½ Acre District, PDD (Planned Development District)

**PROPOSED:** PDD (Planned Development District)

**LAND USE:**

**SITE:** Residential

**SURROUNDING:** Residential, Planned Development

**SIZE OF PROPERTY:** 2.85 Acres

**ACCESS (Exhibit B):** Access to the site is via North Slope Lane

**BACKGROUND AND PRIOR ACTIONS:**

There are no background or prior actions on this parcel.

**PROJECT DESCRIPTION:**

The request for the proposed project consists of a Rezone to convert the parcel from RRS-2 ½ (Residential, Rural, Single Family) 2 ½ Acre District to PDD (Planned Development District) and a Conditional Use Permit to allow the development of a senior care apartment facility. This will be an extension (Village 3) of the recently approved Elderberry Heights, Senior Care Facility located directly east of the parcel. The project proposes 34-apartment units for seniors. The facility also includes a 2,252 square foot Community Space and a 3,529 square foot Lounge for senior residents. The facility will be spread over the 2.85 acre parcel with internal paved roadways, landscaping, and 35 parking spaces. Access to the site will be from North Slope Lane. There will be a max of eight employees on site.

**ORDINANCES/POLICIES:**

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of conditional use permits.

Chapter 18.67 of the Madera County Zoning Ordinance outlines the additional restrictions to certain uses in a PDD (Planned Development District).

Madera County General Plan Policy Document (Part 7) outlines the HDR (High Density Residential) designation.

**PRJ#2019-003  
STAFF REPORT**

**ANALYSIS:**

The project site is located in a lightly populated area in Oakhurst. All other surrounding properties are vacant or residential. The General Plan designates the property as HDR (High Density Residential) and the applicant is requesting a PDD zone (Planned Development District). The Planned Development District is a unique zone district. The allowed uses are a reflection of the underlying residential General Plan designation. The applicant is requesting a 34-apartment unit senior care facility. This will include twelve (12) one bedroom/one bathroom, 893 square foot units; six (6) one bedroom/one bathroom, 891 square foot units; four (4) one bedroom/one bathroom, 888 square foot units; six (6) two bedroom/two bathroom, 1,777 square foot units; and six (6) two bedroom/two bathroom, 1,230 square foot units. The facility also includes a 2,252 square foot Community Space and a 3,529 square foot Lounge for senior residents. The facility will be spread over the 2.85 acre parcel with internal paved roadways, 35 parking spaces and landscaping. This will be an extension (Village 3) of the recently approved Elderberry Heights, Senior Care Facility located directly east of the parcel.

The property is accessed off North Slope Lane by Victoria Lane. With new buildings being proposed for this area, light pollution will increase in the immediate area. 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.

The facility will generate approximately 24,500 gallons/week of wastewater. It will be connected to MD 22A. Hillview Water Company will provide water. An estimate of 3.8 Acre feet per year will be required. Disposal of solid waste is by EMADCO, approximately 9,072 pounds per week.

An archeological study (Exhibit H) was conducted for the proposed elderly care facility. No cultural resources were identified on the property as a result of the records search and field survey. Therefore, no Historic Properties for Section 106 purposes or Historical Resources as defined by CEQA will be affected by the proposed Project. Mitigation for the management of unanticipated discoveries are provided on the mitigation monitoring report form. 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 property is situated on the south corner of North Slope Lane & Victoria Lane (no situs), Oakhurst. The property is surrounded by multiple residential and open space parcels that extends up and down North Slope Lane and Victoria Lane. Surrounding properties include RRS-2 1/2 (Residential, Rural, Single Family) 2 1/2 acre zoned parcels and PDD (Planned Development District) zoned parcels. Lots in the area range from 1.34 acres to 12.77 acres. This project has been circulated to internal and external departments. These external departments include: California Department of Fish and Wildlife, Department of Transportation, California Regional

**PRJ#2019-003  
STAFF REPORT**

Water Quality Control Board, San Joaquin Valley Air Pollution Control District, Chowchilla Yokuts Tribe, Dumna Wo Wah Tribal Government, Picayune Rancheria of the Chukchansi Indians, and Table Mountain Rancheria. Comments were received from Environmental Health, Fire Marshal, Public Works, San Joaquin Valley Air Pollution Control District, and Picayune Rancheria of Chukchansi Indians. Mitigation has been placed for the applicant to comply with San Joaquin Valley Air Pollution Control District's conditions stated in their comments.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,404.75 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,354.75 Department of Fish and Wildlife fee that took effect January 1, 2019 and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Planning Commission.

**FINDINGS:**

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this permit:

- 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 residentially developed or open for development. 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 Oakhurst has a large senior population. The senior living complex is strongly 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 of the surrounding properties. The project site is currently undeveloped. The proposed facility will be an upscale design with landscaping that will enhance the area. The proposed facility is an extension of the recently approved Elderberry Heights Senior Care Facility located directly east of the parcel.*

**WILLIAMSON ACT:**

**PRJ#2019-003  
STAFF REPORT**

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, the applicant 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. Most 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 PRJ#2019-003 subject to conditions, the Mitigated Negative Declaration (MND #2019-15) and the mitigation monitoring program.

**CONDITIONS:**

See attachments

**ATTACHMENTS:**

1. Exhibit A. General Plan Map
2. Exhibit B. Zoning Map
3. Exhibit C. Assessor's Map
4. Exhibit D. Site Plan/Floor Plan/Elevation Plan
5. Exhibit E. Aerial Map
6. Exhibit F. Topographical Map
7. Exhibit G. Operational Statement
8. Exhibit H. Archaeological Survey
9. Exhibit I. San Joaquin Valley Air Pollution Control District
10. Exhibit J. Picayune Rancheria of Chukchansi Indians Comments
11. Exhibit K. Public Works Comments
12. Exhibit L. Environmental Health Comments
13. Exhibit M. Fire Marshal Comments
14. Exhibit N. Initial Study
15. Exhibit O. Mitigated Negative Declaration

## CONDITIONS OF APPROVAL

PRJ #2019-003 Chauhan

The property is located on the south corner of North Slope Lane & Victoria Lane (no situs), Oakhurst.

Conditional Use Permit for 34 Units of Senior Apartments for a Continuum of Care Senior Community - Village 3 and a Rezone from Residential Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD).

Shingu, Garrett  
Shingu, Garrett / (831)-809-5114

**PROJECT DESCRIPTION:**

**APPLICANT:**  
**CONTACT PERSON/TELEPHONE NUMBER:**

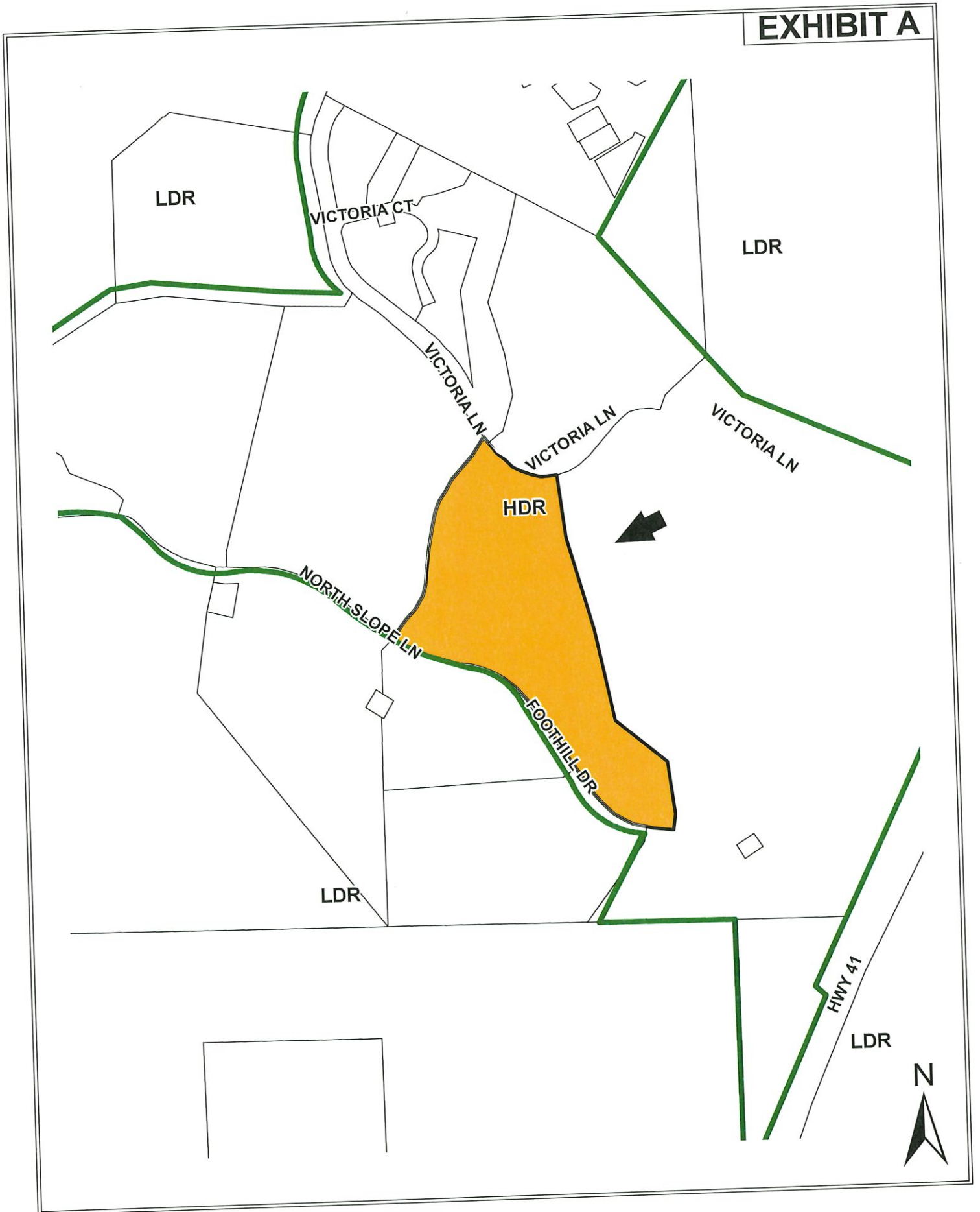
No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
<b>Environmental Health</b>				
1	If this proposed project is within 200 feet of a public sanitary sewer (Sewer Maintenance District MD-22A) it shall connect. Please provide a will serve letter from MD-22A.	EH		
2	If this proposed 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.	EH		
3	Solid waste collection with sorting for green, recycle, and garbage is required	EH		
4	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.	EH		
5	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.	EH		
<b>Fire</b>				
1	Prior to complete building design contact the Fire Marshalls Office as available fire flows may not be sufficient to supply the total square footage proposed.	Fire Department		

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Planning</b>					
1	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			
2	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Planning			
3	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			
4	A landscape and irrigation plan for the street frontage of the property shall be submitted to the Planning Department for review and approval prior to the release of the conditional use permit. The plan shall comply with our Water Efficient Landscape Ordinance from our zoning code (Ch. 13.56)	Planning			
5	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.				
6	All mitigation measures outlined in the Mitigated Negative Declaration #2019-15 shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Planning Commission.				
<b>Public Works</b>					
1	The Parcel does not have enough sewer units allocated to it. The property owner will need to purchase the required amount of units. Please contact the Public Works Department for determination on the number of units required for the proposed project and the number of units that need to be purchased. The units will need to be purchased prior to the issuance of a commercial building permit.	Public Works			
2	The applicant shall submit a stamped grading and drainage plan and application to the County. If applicable, 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.	Public Works			
3	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			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
4	Any dead-end road must provide a turn-round cul-de-sac per ST-15B	Public Works			

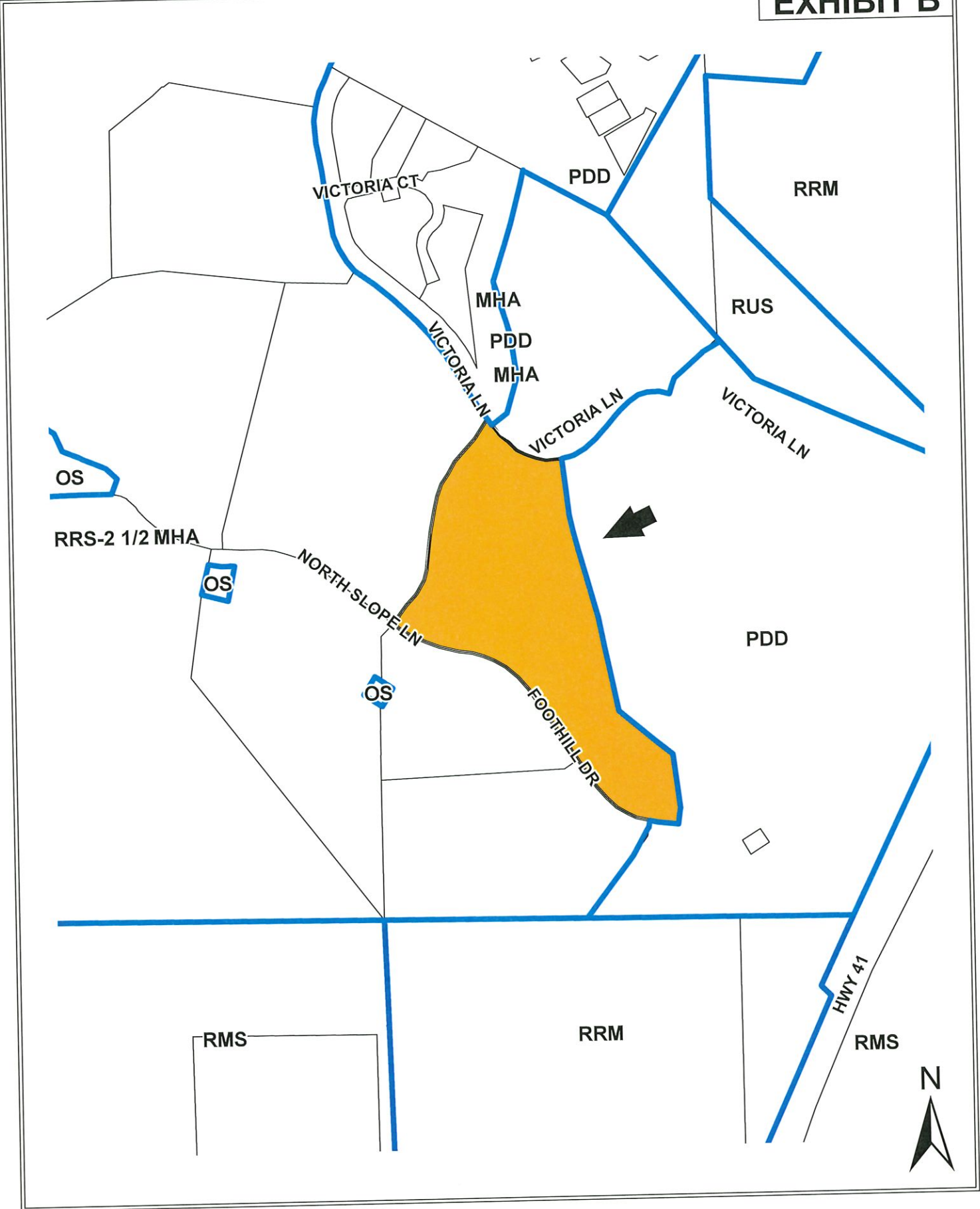


**EXHIBIT A**



**GENERAL PLAN MAP**

**EXHIBIT B**



**ZONING MAP**

# EXHIBIT C

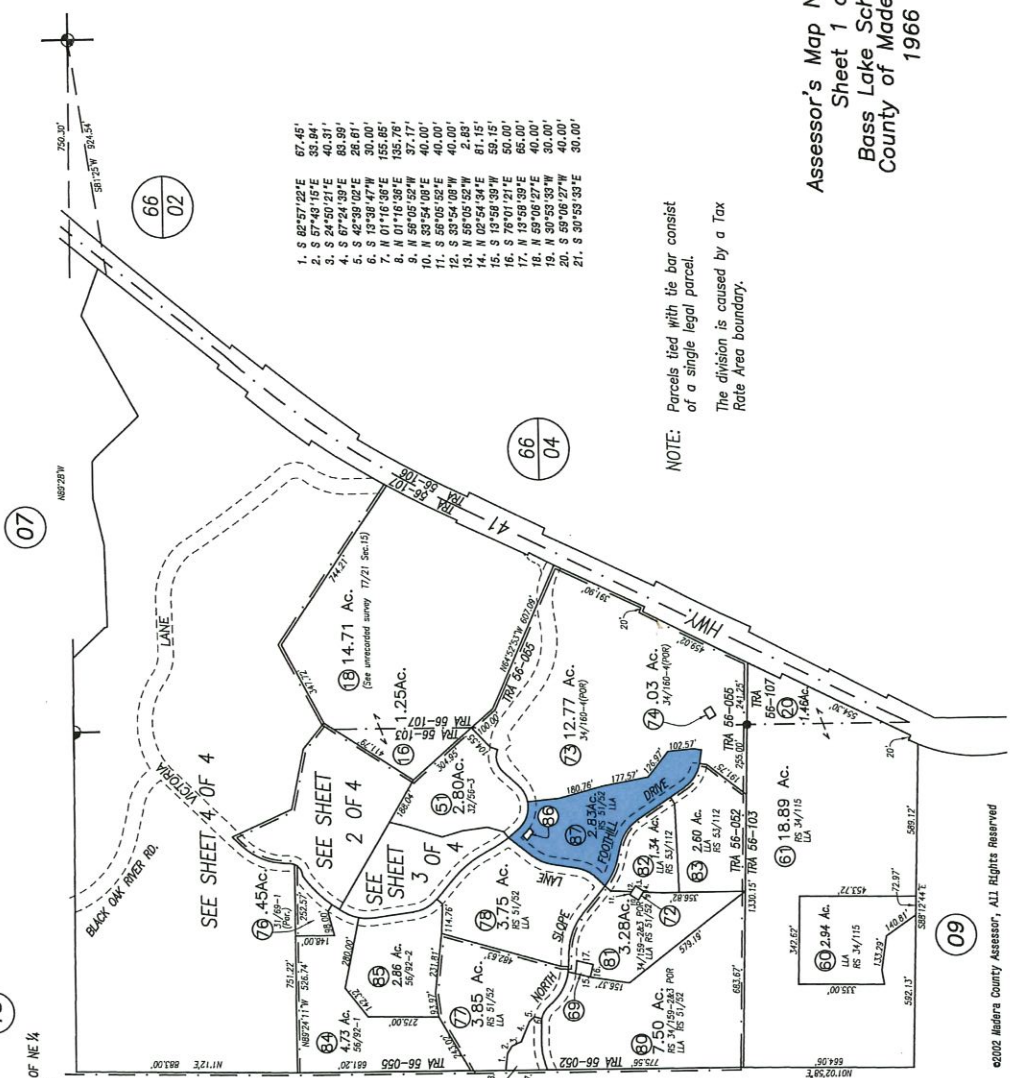
64-08  
SHEET 1 of 4

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

Tax Area Code  
56-052  
56-055  
56-103  
56-107



1. S. 82°57'22"E 67.45'
2. S. 82°57'22"E 83.94'
3. S. 24°50'01"E 40.31'
4. S. 67°24'39"E 83.99'
5. S. 42°39'02"E 28.61'
6. S. 43°38'47"W 30.00'
7. N. 01°16'38"E 155.65'
8. N. 01°16'38"E 133.79'
9. N. 59°05'32"E 40.00'
10. S. 59°05'32"E 40.00'
11. S. 59°05'32"E 40.00'
12. S. 59°05'32"E 40.00'
13. N. 59°05'32"W 2.83'
14. N. 02°54'54"E 61.15'
15. S. 19°38'39"W 58.15'
16. S. 19°01'59"E 52.00'
17. N. 59°05'32"E 40.00'
18. N. 30°53'33"W 30.00'
19. N. 30°53'33"W 40.00'
20. S. 59°05'32"W 40.00'
21. S. 30°53'33"E 30.00'



NOTE: Parcels tied with tie bar consist of a single legal parcel. 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

PARCEL	AC.	MAP DATA
69	.07	34/109-2 POR
72	.04	34/109-3 POR & 34/109-4 POR
86	.02	SEE 206-207-128

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

ORIGINAL

# ASSESSOR'S MAP

©2002 Madera County Assessor, All Rights Reserved

19008-07.dwg





## Community and Economic Development Planning Division

Jamie Bax  
Deputy Director

- 200 W. 4<sup>th</sup> 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: August 6, 2019**

**AGENDA ITEM: #1**

PRJ	#2019-003	Conditional Use Permit to allow a Continuum of Care
CUP	#2019-012	Senior Community
CZ	#2019-002	Rezone to PDD (Planned Development District)
APN	#064-080-087	Applicant: Garrett Shingu
CEQA	MND #2019-15	Mitigated Negative Declaration

**REQUEST:**

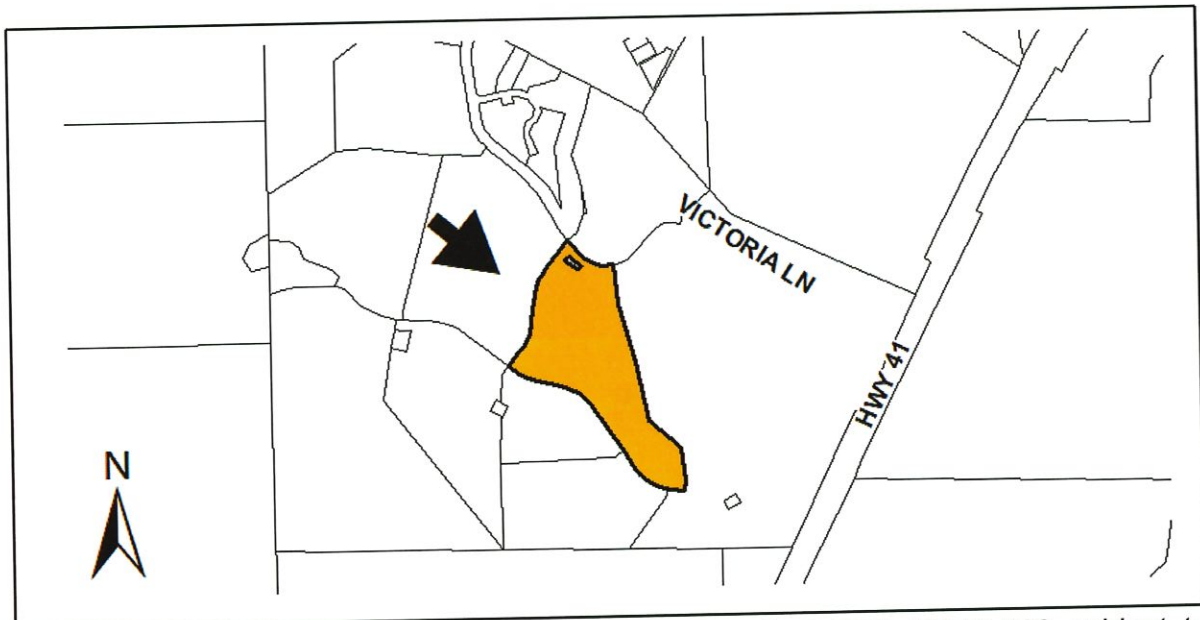
This is a request for a Conditional Use Permit for 34 Units of Senior Apartments for a Continuum of Care Senior Community - Village 3 and a Rezone from Residential, Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD).

**LOCATION:**

On the South corner of North Slope Lane & Victoria Lane (no situs), Oakhurst.

**ENVIRONMENTAL ASSESSMENT:**

A Mitigated Negative Declaration (MND#2019-15) has been prepared and is subject to approval by the Planning Commission.



**RECOMMENDATION:**

Staff recommends approval of PRJ #2019-003 subject to conditions, Mitigated Negative Declaration #2019-15 and the Mitigation Monitoring Program.

**PRJ#2019-003  
STAFF REPORT**

**GENERAL PLAN DESIGNATION (Exhibit A):**

SITE: HDR (High Density Residential) Designation

SURROUNDING: LDR (Low Density Residential) Designation

**ZONING (Exhibit B):**

SITE: RRS-2 1/2 (Residential, Rural, Single Family) 2 ½ Acre District

SURROUNDING: RRS-2 1/2 (Residential, Rural, Single Family) 2 ½ Acre District, PDD (Planned Development District)

PROPOSED: PDD (Planned Development District)

**LAND USE:**

SITE: Residential

SURROUNDING: Residential, Planned Development

**SIZE OF PROPERTY:** 2.85 Acres

**ACCESS (Exhibit B):** Access to the site is via North Slope Lane

**BACKGROUND AND PRIOR ACTIONS:**

There are no background or prior actions on this parcel.

**PROJECT DESCRIPTION:**

The request for the proposed project consists of a Rezone to convert the parcel from RRS-2 ½ (Residential, Rural, Single Family) 2 ½ Acre District to PDD (Planned Development District) and a Conditional Use Permit to allow the development of a senior care apartment facility. This will be an extension (Village 3) of the recently approved Elderberry Heights, Senior Care Facility located directly east of the parcel. The project proposes 34-apartment units for seniors. The facility also includes a 2,252 square foot Community Space and a 3,529 square foot Lounge for senior residents. The facility will be spread over the 2.85 acre parcel with internal paved roadways, landscaping, and 35 parking spaces. Access to the site will be from North Slope Lane. There will be a max of eight employees on site.

**ORDINANCES/POLICIES:**

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of conditional use permits.

Chapter 18.67 of the Madera County Zoning Ordinance outlines the additional restrictions to certain uses in a PDD (Planned Development District).

Madera County General Plan Policy Document (Part 7) outlines the HDR (High Density Residential) designation.

**PRJ#2019-003  
STAFF REPORT**

**ANALYSIS:**

The project site is located in a lightly populated area in Oakhurst. All other surrounding properties are vacant or residential. The General Plan designates the property as HDR (High Density Residential) and the applicant is requesting a PDD zone (Planned Development District). The Planned Development District is a unique zone district. The allowed uses are a reflection of the underlying residential General Plan designation. The applicant is requesting a 34-apartment unit senior care facility. This will include twelve (12) one bedroom/one bathroom, 893 square foot units; six (6) one bedroom/one bathroom, 891 square foot units; four (4) one bedroom/one bathroom, 888 square foot units; six (6) two bedroom/two bathroom, 1,777 square foot units; and six (6) two bedroom/two bathroom, 1,230 square foot units. The facility also includes a 2,252 square foot Community Space and a 3,529 square foot Lounge for senior residents. The facility will be spread over the 2.85 acre parcel with internal paved roadways, 35 parking spaces and landscaping. This will be an extension (Village 3) of the recently approved Elderberry Heights, Senior Care Facility located directly east of the parcel.

The property is accessed off North Slope Lane by Victoria Lane. With new buildings being proposed for this area, light pollution will increase in the immediate area. 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.

The facility will generate approximately 24,500 gallons/week of wastewater. It will be connected to MD 22A. Hillview Water Company will provide water. An estimate of 3.8 Acre feet per year will be required. Disposal of solid waste is by EMADCO, approximately 9,072 pounds per week.

An archeological study (Exhibit H) was conducted for the proposed elderly care facility. No cultural resources were identified on the property as a result of the records search and field survey. Therefore, no Historic Properties for Section 106 purposes or Historical Resources as defined by CEQA will be affected by the proposed Project. Mitigation for the management of unanticipated discoveries are provided on the mitigation monitoring report form. 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 property is situated on the south corner of North Slope Lane & Victoria Lane (no situs), Oakhurst. The property is surrounded by multiple residential and open space parcels that extends up and down North Slope Lane and Victoria Lane. Surrounding properties include RRS-2 1/2 (Residential, Rural, Single Family) 2 1/2 acre zoned parcels and PDD (Planned Development District) zoned parcels. Lots in the area range from 1.34 acres to 12.77 acres. This project has been circulated to internal and external departments. These external departments include: California Department of Fish and Wildlife, Department of Transportation, California Regional

**PRJ#2019-003  
STAFF REPORT**

Water Quality Control Board, San Joaquin Valley Air Pollution Control District, Chowchilla Yokuts Tribe, Dumna Wo Wah Tribal Government, Picayune Rancheria of the Chukchansi Indians, and Table Mountain Rancheria. Comments were received from Environmental Health, Fire Marshal, Public Works, San Joaquin Valley Air Pollution Control District, and Picayune Rancheria of Chukchansi Indians. Mitigation has been placed for the applicant to comply with San Joaquin Valley Air Pollution Control District's conditions stated in their comments.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,404.75 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,354.75 Department of Fish and Wildlife fee that took effect January 1, 2019 and the County Clerk \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Planning Commission.

**FINDINGS:**

The Madera County Zoning Ordinance requires that the following findings of fact must be made by the Planning Commission to grant approval of this permit:

- 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 residentially developed or open for development. 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 Oakhurst has a large senior population. The senior living complex is strongly 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 of the surrounding properties. The project site is currently undeveloped. The proposed facility will be an upscale design with landscaping that will enhance the area. The proposed facility is an extension of the recently approved Elderberry Heights Senior Care Facility located directly east of the parcel.*

**WILLIAMSON ACT:**



**PRJ#2019-003  
STAFF REPORT**

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, the applicant 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. Most 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 PRJ#2019-003 subject to conditions, the Mitigated Negative Declaration (MND #2019-15) and the mitigation monitoring program.

**CONDITIONS:**

See attachments

**ATTACHMENTS:**

1. Exhibit A. General Plan Map
2. Exhibit B. Zoning Map
3. Exhibit C. Assessor's Map
4. Exhibit D. Site Plan/Floor Plan/Elevation Plan
5. Exhibit E. Aerial Map
6. Exhibit F. Topographical Map
7. Exhibit G. Operational Statement
8. Exhibit H. Archaeological Survey
9. Exhibit I. San Joaquin Valley Air Pollution Control District
10. Exhibit J. Picayune Rancheria of Chukchansi Indians Comments
11. Exhibit K. Public Works Comments
12. Exhibit L. Environmental Health Comments
13. Exhibit M. Fire Marshal Comments
14. Exhibit N. Initial Study
15. Exhibit O. Mitigated Negative Declaration

## CONDITIONS OF APPROVAL

**PROJECT NAME:** PRJ #2019-003 Chauhan

**PROJECT LOCATION:** The property is located on the south corner of North Slope Lane & Victoria Lane (no situs), Oakhurst.

**PROJECT DESCRIPTION:** Conditional Use Permit for 34 Units of Senior Apartments for a Continuum of Care Senior Community - Village 3 and a Rezone from Residential, Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD).

**APPLICANT:** Shingu, Garrett

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

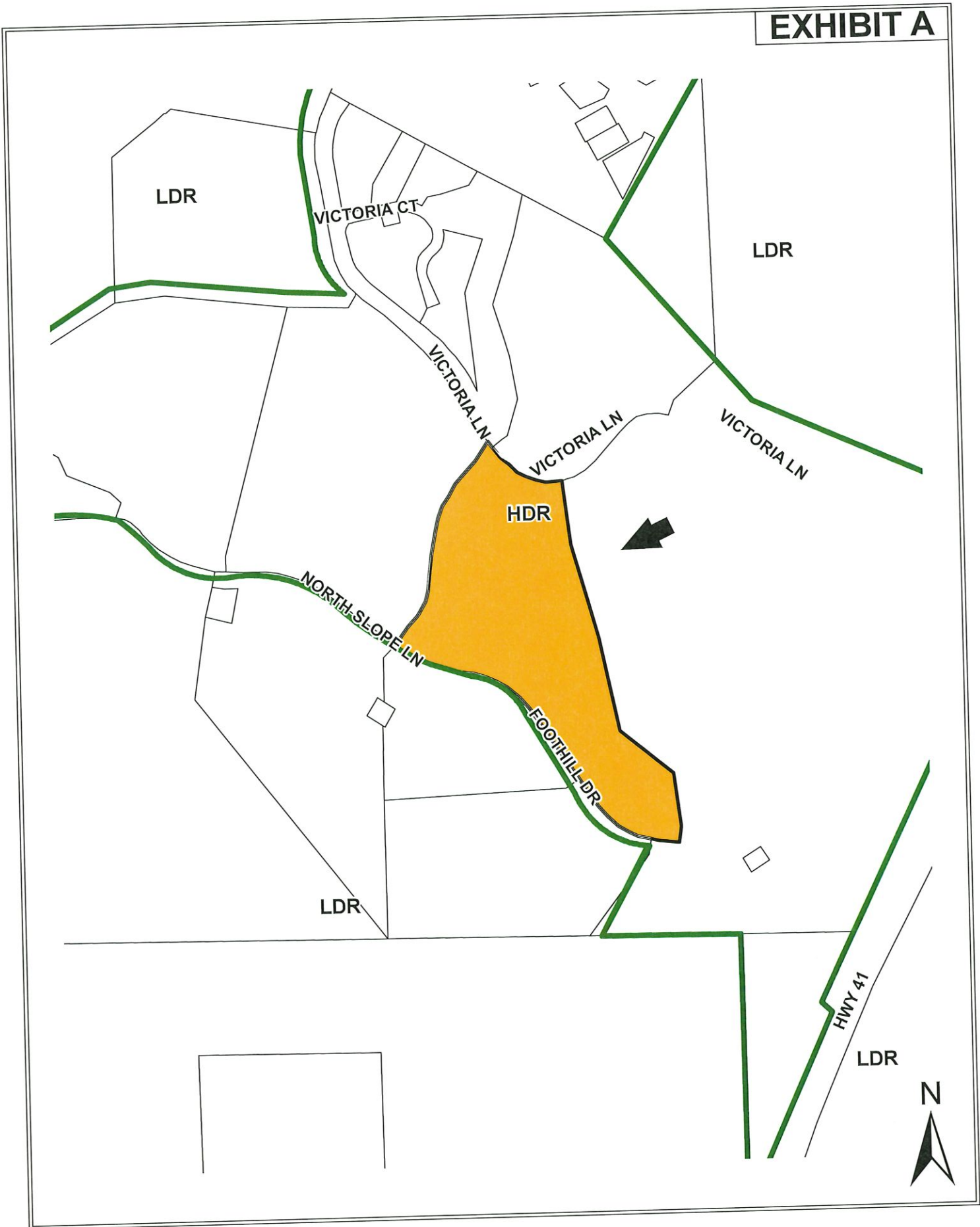
No.	Condition	Department/Agency	Verification of Compliance	
			Initials	Date
<b>Environmental Health</b>				
1	If this proposed project is within 200 feet of a public sanitary sewer (Sewer Maintenance District MD-22A) it shall connect. Please provide a will serve letter from MD-22A.	EH		
2	If this proposed 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.	EH		
3	Solid waste collection with sorting for green, recycle, and garbage is required	EH		
4	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.	EH		
5	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.	EH		

<b>Fire</b>				
1	Prior to complete building design contact the Fire Marshall's Office as available fire flows may not be sufficient to supply the total square footage proposed.	Fire Department		

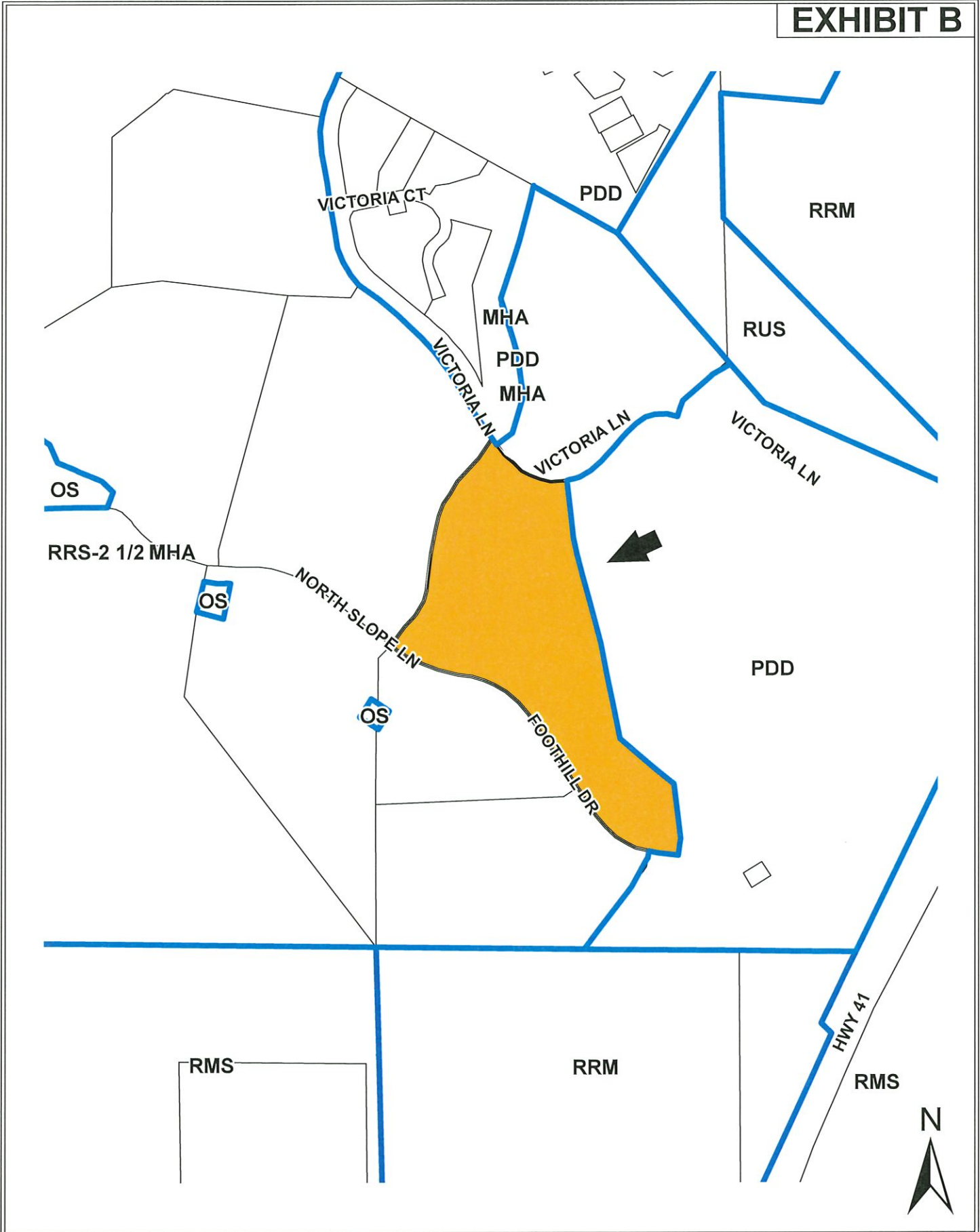
No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Planning</b>					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the mitigation measures and other conditions of approval required for the project.	Planning			
2	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Planning			
3	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			
4	A landscape and irrigation plan for the street frontage of the property shall be submitted to the Planning Department for review and approval prior to the release of the conditional use permit. The plan shall comply with our Water Efficient Landscape Ordinance from our zoning code (Ch. 13.56)	Planning			
5	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.				
6	All mitigation measures outlined in the Mitigated Negative Declaration #2019-15 shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified by the Planning Commission.				
<b>Public Works</b>					
1	The Parcel does not have enough sewer units allocated to it. The property owner will need to purchase the required amount of units. Please contact the Public Works Department for determination on the number of units required for the proposed project and the number of units that need to be purchased. The units will need to be purchased prior to the issuance of a commercial building permit.	Public Works			
2	The applicant shall submit a stamped grading and drainage plan and application to the County. If applicable, 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.	Public Works			
3	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			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
4	Any dead-end road must provide a turn-round cul-de-sac per ST-15B	Public Works			

**EXHIBIT A**



**GENERAL PLAN MAP**

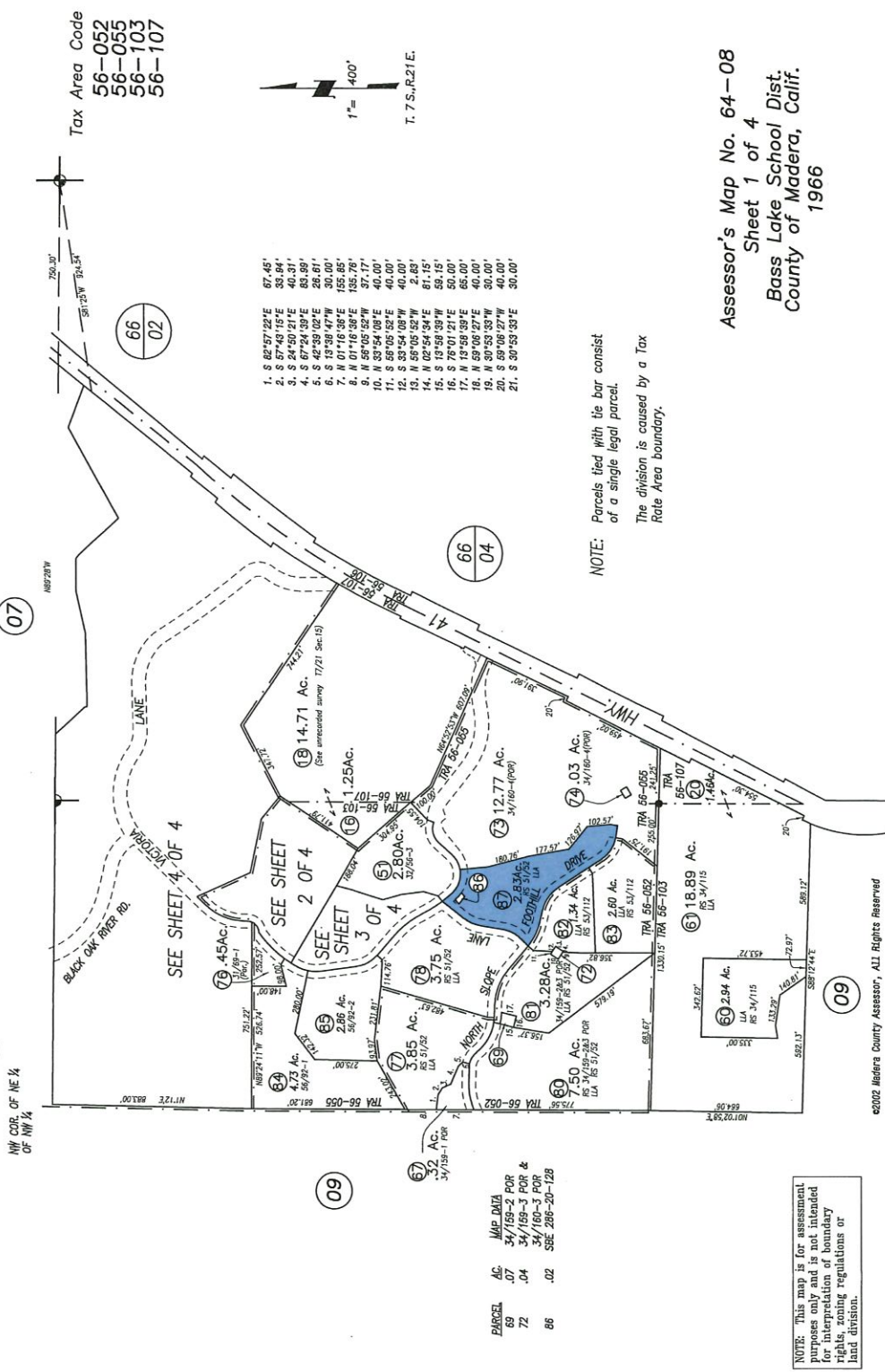


**ZONING MAP**

# EXHIBIT C

64-08  
SHEET 1 of 4

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



1. S 87°57'12"E 67.45'
2. S 57°43'15"E 33.04'
3. S 24°50'21"E 40.31'
4. S 67°24'39"E 83.99'
5. S 42°39'02"E 28.61'
6. S 73°39'47"W 30.00'
7. N 07°16'38"E 155.65'
8. N 55°05'52"W 37.17'
9. N 55°05'52"W 40.00'
10. N 33°54'09"E 40.00'
11. S 65°05'52"E 40.00'
12. S 83°54'09"W 40.00'
13. N 55°05'52"W 2.89'
14. E 02°54'38"E 61.15'
15. S 25°01'21"E 50.00'
16. S 25°01'21"E 50.00'
17. N 13°59'59"E 65.00'
18. N 59°06'27"E 40.00'
19. N 30°53'53"W 30.00'
20. S 59°06'27"W 40.00'
21. S 30°53'53"E 30.00'

NOTE: Parcels tied with tie bar consist of a single legal parcel.  
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

15 NW COR. OF ME 1/4 OF NW 1/4

07

04

09

ORIGINAL

PARCEL	AC	MAP DATA
65	.07	34/189-2 POR
72	.04	34/189-3 POR & 34/189-3 POR
86	.02	SEE 286-20-128

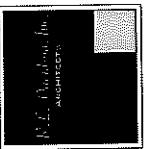
NOTE: This map is for assessment purposes only and is not intended for interpretation of boundary rights, zoning regulations or land division.

©2002 Madera County Assessor, All Rights Reserved

19066-67 CM

# ASSESSOR'S MAP

# EXHIBIT D

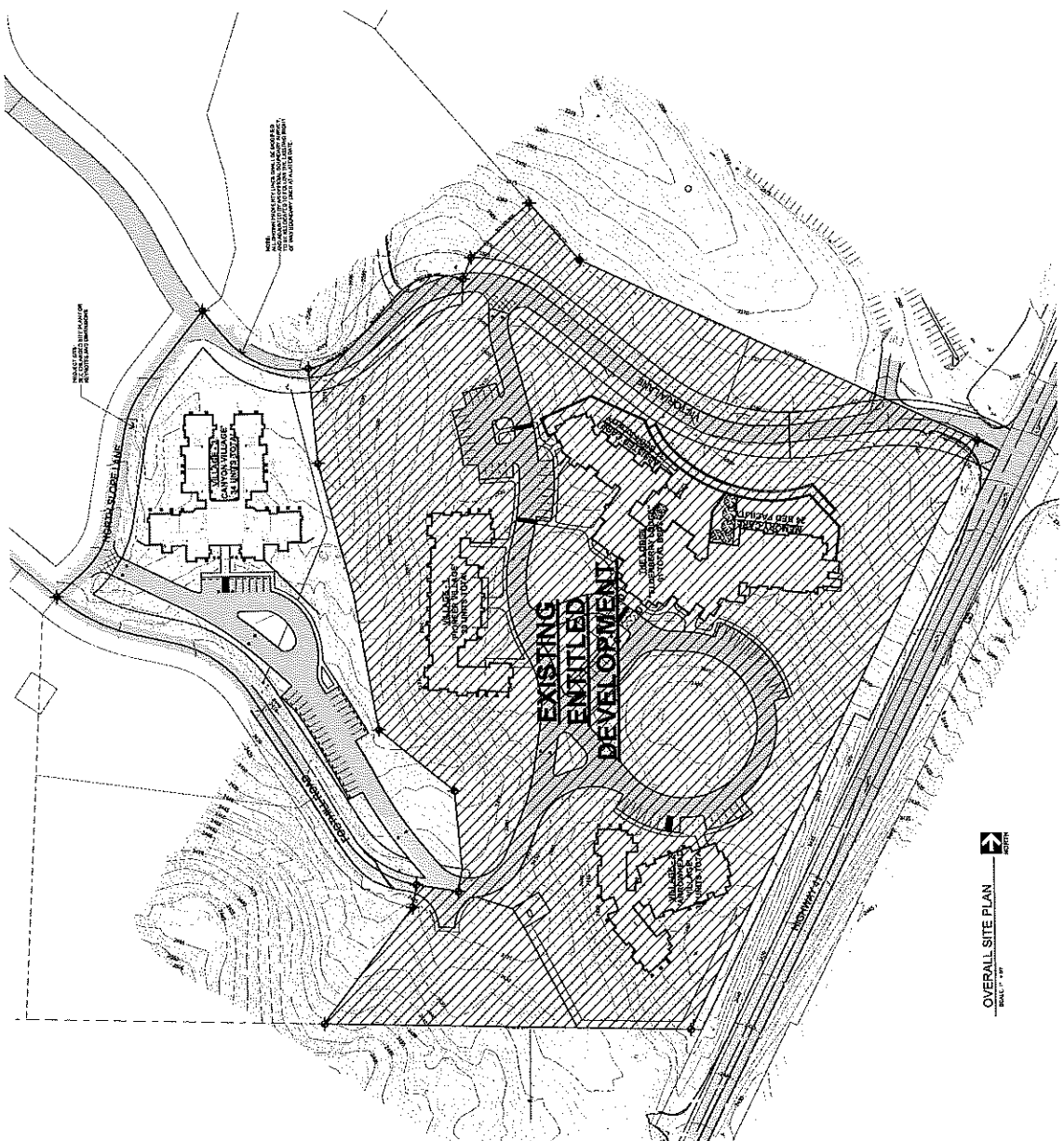


**PROJECT INFORMATION**  
 PROJECT NAME: ELDERBERRY HEIGHTS SENIOR COMMUNITY  
 PROJECT ADDRESS: 10000 S. LAKE AVENUE, SUITE 100, LOS ANGELES, CA 90048  
 CLIENT: ELDERBERRY HEIGHTS SENIOR COMMUNITY  
 ARCHITECT: P. J. CONROY & CO. ARCHITECTS, P.C.  
 DATE: 08/20/2014

**SITE DEVELOPMENT DATA**  
 TOTAL SITE AREA: 10.0 ACRES  
 TOTAL DEVELOPABLE AREA: 8.5 ACRES  
 TOTAL EXISTING DEVELOPABLE AREA: 4.5 ACRES  
 TOTAL NEW DEVELOPABLE AREA: 4.0 ACRES  
 TOTAL EXISTING DEVELOPMENT: 150,000 SQ. FT.  
 TOTAL NEW DEVELOPMENT: 1,500,000 SQ. FT.  
 TOTAL EXISTING DEVELOPMENT PER ACRE: 33,333 SQ. FT./ACRE  
 TOTAL NEW DEVELOPMENT PER ACRE: 375,000 SQ. FT./ACRE

**PERMITTED DEVELOPMENT DATA**  
 MAXIMUM BUILDING HEIGHT: 40 FEET  
 MAXIMUM BUILDING FOOTPRINT: 50,000 SQ. FT.  
 MAXIMUM BUILDING VOLUME: 1,000,000 CU. FT.  
 MAXIMUM BUILDING AREA: 50,000 SQ. FT.  
 MAXIMUM BUILDING PERCENTAGE: 50%  
 MAXIMUM BUILDING DENSITY: 100 UNITS/ACRE  
 MAXIMUM BUILDING COVERAGE: 50%  
 MAXIMUM BUILDING FOOTPRINT PERCENTAGE: 50%  
 MAXIMUM BUILDING VOLUME PERCENTAGE: 100%  
 MAXIMUM BUILDING AREA PERCENTAGE: 50%  
 MAXIMUM BUILDING DENSITY PERCENTAGE: 100%  
 MAXIMUM BUILDING COVERAGE PERCENTAGE: 50%  
 MAXIMUM BUILDING FOOTPRINT PERCENTAGE PERCENTAGE: 50%  
 MAXIMUM BUILDING VOLUME PERCENTAGE PERCENTAGE: 100%  
 MAXIMUM BUILDING AREA PERCENTAGE PERCENTAGE: 50%  
 MAXIMUM BUILDING DENSITY PERCENTAGE PERCENTAGE: 100%  
 MAXIMUM BUILDING COVERAGE PERCENTAGE PERCENTAGE: 50%

NOTE: REFER TO SITE PLAN FOR DIMENSIONS AND DIMENSIONS

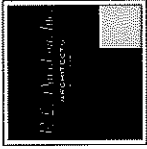


OVERALL SITE PLAN  
 SHEET 1 OF 1

# SITE PLAN MAP



# EXHIBIT D-1



4555 SERRANO AVE  
DUBLIN, CA 94568  
TEL: 925-835-1100  
WWW.PJPFANZ.COM

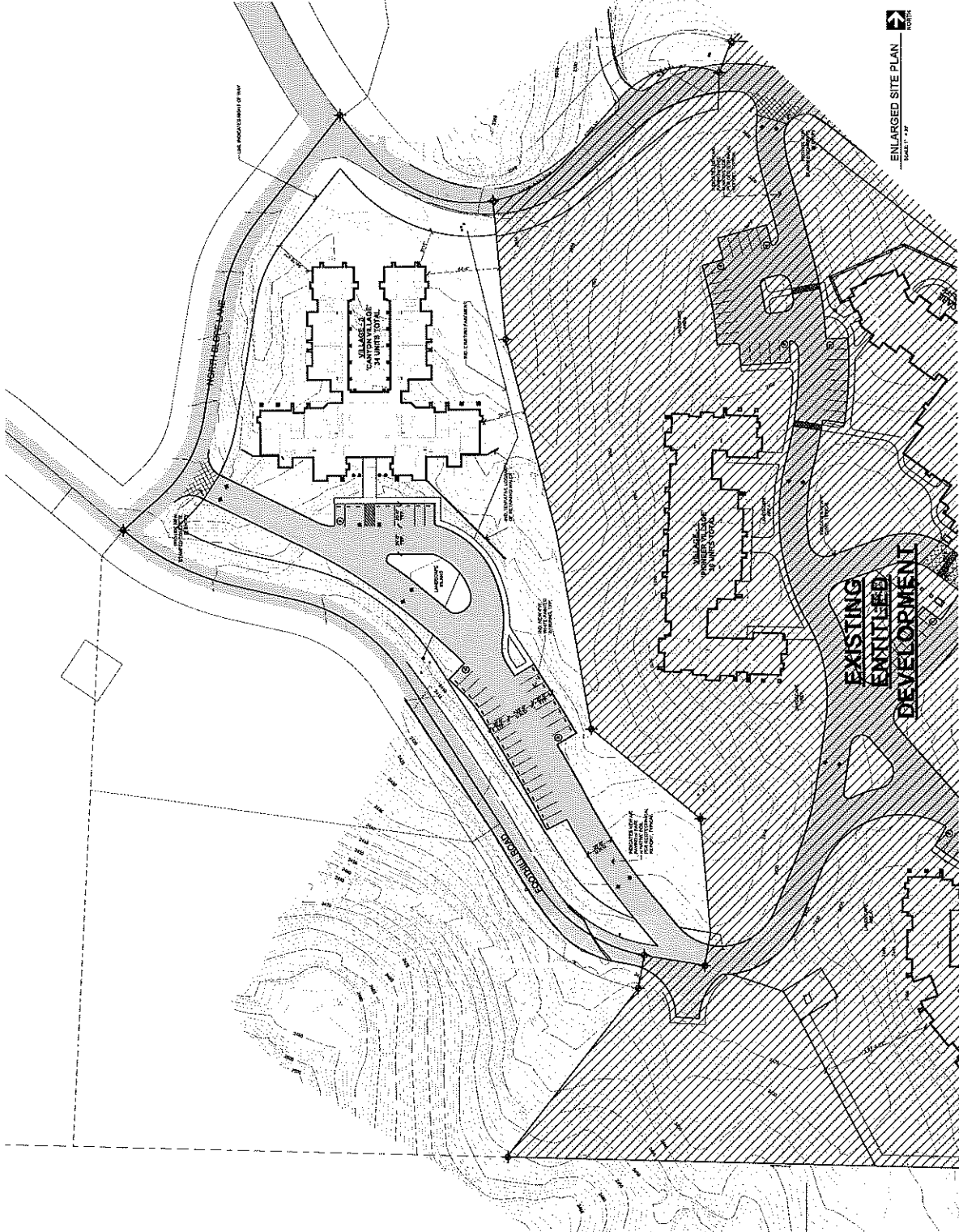


ELDERRY HEIGHTS  
SENIOR COMMUNITY  
DUBLIN, CA

DATE	10/15/10
PROJECT	ELDERRY HEIGHTS SENIOR COMMUNITY
LOCATION	10000 SERRANO AVE, DUBLIN, CA
SCALE	AS SHOWN
DRAWN BY	J. PFLANZ
CHECKED BY	J. PFLANZ
APPROVED BY	J. PFLANZ

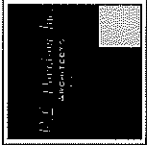
ENLARGED SITE PLAN

P-102



ENLARGED SITE PLAN  
Scale: 1" = 40'

## SITE PLAN MAP

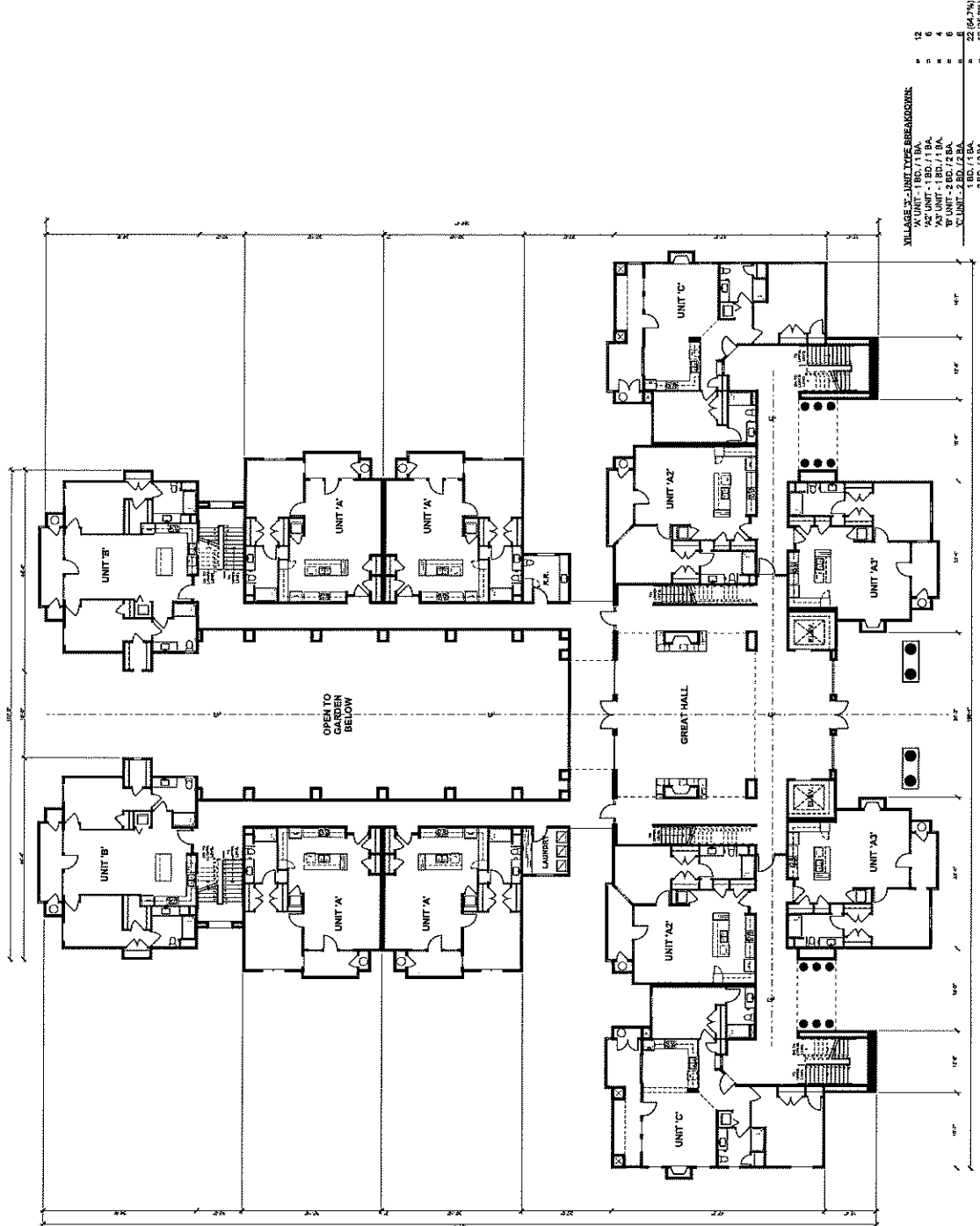


ELDERBERRY HEIGHTS  
SENIOR COMMUNITY  
LOS ANGELES, CA

DATE:	
PROJECT:	
CLIENT:	
ARCHITECT:	
ENGINEER:	
PLUMBER:	
ELECTRICIAN:	
Mechanical:	
Structural:	
Interior Design:	
Other:	

VILLAGE 01  
COORDINATION PLAN  
MAIN LEVEL

P-241



VILLAGE 01 - UNIT TYPE BREAKDOWN	
A1 UNIT - 1 BD./1 BA.	12
A2 UNIT - 1 BD./1 BA.	6
A3 UNIT - 2 BD./2 BA.	4
A1 UNIT - 1 BD./1 BA.	4
A2 UNIT - 1 BD./1 BA.	6
A3 UNIT - 2 BD./2 BA.	4
1 BD./1 BA.	22 (64.7%)
2 BD./2 BA.	12 (35.3%)
<b>TOTAL</b>	<b>34 UNITS</b>

*"Canyon Village"*  
COORDINATION PLAN - MAIN LEVEL  
SCALE: 1/8" = 1'-0"

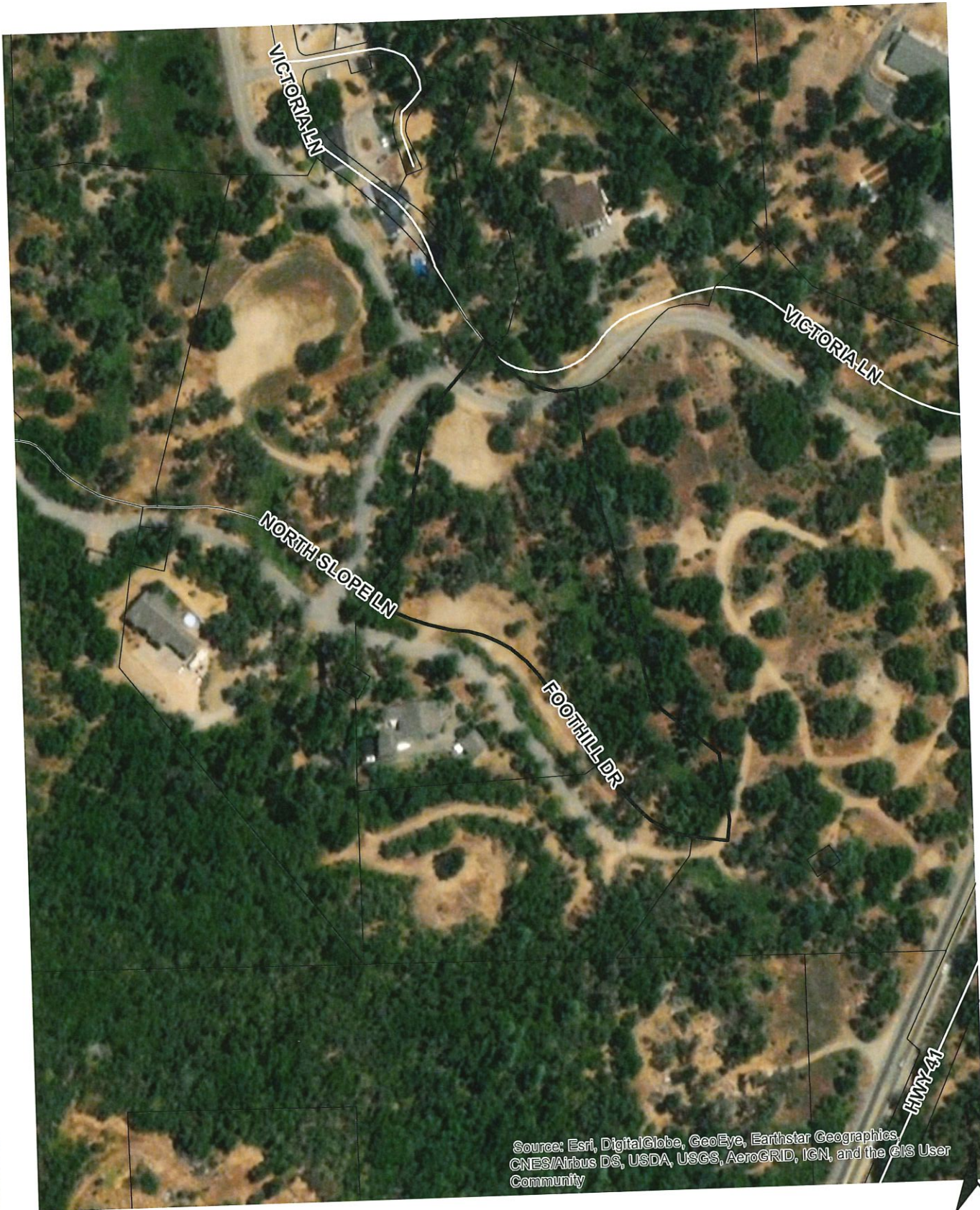
FLOOR PLAN MAP - MAIN LEVEL







**EXHIBIT E**



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**AERIAL MAP**

**EXHIBIT F**



**TOPOGRAPHICAL MAP**



# Community and Economic Development Planning Division

Matthew Treber  
Director

- 200 W 4<sup>th</sup> 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: 064 080-087  
 Applicant's Name: PENSEO TRUST FBO BRAD PEPID, BITTEN ACCOUNT 050061059342  
 Address: PO BOX 2036, OAK HURST CA. 93644  
 Phone Number: (559) 760-3485

2. Describe the nature of your proposal/operation.

TO REZONE TO HIGH DENSITY RESIDENTIAL.  
C.U.P. FOR 30 UNITS OF SENIOR APT: VILLAGE 3 AS A  
PART OF ELDERBERRY HEIGHT.

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: 34 UNITS SENIOR APT.

Maximum number per day: \_\_\_\_\_

What hours will customers/visitors be there? \_\_\_\_\_

7. How many employees will there be?

Current: MAX 2

Future: \_\_\_\_\_

Hours they work: \_\_\_\_\_

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



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 18,900 GALLONS/WK WITHIN DISTRICT MP -22 A

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 EMARCO, THE AMOUNT OF SOLID WASTE IS APPROX 1600#/WK

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

FOR BUILDING PADS

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

NO. ARCHEOLOGICAL REPORT BY JOHN BRADY ON PROPOSED PROJECT TO EAST.

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

NONE

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

SEE SITE PLAN

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 SERVICES OF BOTH FIRE & POLICE PROTECTION.

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

I BELIEVE WE WILL BE A POSITIVE IMPACT ON THE AREA AS THE PROPERTY WILL BE MAINTAINED TO A HIGH STANDARD

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

WE WILL NOT IMPACT SCHOOLS OR PARKS BUT WILL REQUIRE FIRE & POLICE PROTECTION

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s):

N.A.  
Square feet of building area(s):  
Total number of employees:  
Building Heights:

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

NONE

9. Will there be any service and delivery vehicles? MAINTENANCE & LANDSCAPE

Number:

Type:

Frequency: WEEKLY

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

20 PARKING STALLS ON PAVED SURFACE

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

VICTORIA LANE & NORTH SLOPE

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 7 TRIPS / DAY  
W/ 7 TRIPS GENERATED DURING AM PEAK HR & 8 TRIPS DURING PM PEAK.

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

ON BLVD

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

NEW CONSTRUCTION. SEE DWG SUBMITTAL

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 (4) RES., TO THE SOUTH (3) RES.  
TO THE EAST IS PROPOSED PROJECT, TO THE WEST - VACANT.

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 3.8 ACF TO BE PROVIDED BY HILLVIEW WATER.

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

N.A.

---

---

Mr. Brad Ditton:

The Yokuts Chukchansi occupied the territory between the Fresno River and Cotton Wood Creek of Madera county. The neighboring eastern border were the of Nim (Mono) and Dalinchi. The western neighbor are the Heuche and Chowchilla's. The southern border are the Dumna and Pitcachi. The northern border are the Southern Sierra Miwok.

A surface pedestrian transect of Brad Ditton property at the corner of Victoria Lane and Foot Hill Drive (see map). Three features were discovered: Two House depressions, a petro-glyph (cupule) and a medicinal area. No artifacts were discovered on the surface.

Respectfully



Gaylen Lee  
Archaeologist



**San Joaquin Valley**  
AIR POLLUTION CONTROL DISTRICT



June 20, 2019

Kamara Biawogi  
County of Madera  
Community and Economic Development  
Planning Division  
200 West 4th Street, Suite 3100  
Madera, CA 93637

**Project: PRJ # 2019-003 – Garrett Shingu (Elderberry Heights)**

**District CEQA Reference No: 20190736**

Dear Mr. Biawogi:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project consisting of a Conditional Use Permit for 30 units of senior apartments: Continuum of Care Senior Community – Village 3 as a part of Elderberry Heights (Project). The proposal also includes a Rezone from Residential, Rural, Single family to Planned Development District (PDD). The project site is located on the south corner of North Slope Lane and Victoria Lane (no situs), in Oakhurst, CA. (APN: 064-080-087). 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. The District received Conditional Use Permit 2018-004 related to this Project for review. It allowed 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. The District

**Seyed 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

previously commented that it was subject District Rule 9510 and required an Air Impact Assessment (AIA) application. At this time, no AIA was received.

When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project level approval from a public agency. In this case, if not already done, the project proponent is to immediately submit an AIA application to the District to comply with District Rule 9510.

The District recommends that demonstration of compliance with District Rule 9510, 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/asbestosbuln.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](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](mailto:SBA@valleyair.org). Current District rules can be found online at the District's website at: [www.valleyair.org/rules/1ruleslist.htm](http://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.

7. The District recommends that a copy of the District's comment letter be provided to the Project proponent.

If you have any questions or require further information, please call Georgia Stewart at (559) 230- 5937 or e-mail [georgia.stewart@valleyair.org](mailto:georgia.stewart@valleyair.org). When calling or emailing the District, please reference District CEQA number 20190736.

Sincerely,

Arnaud Marjollet  
Director of Permit Services


Brian Clements  
Program Manager

AM: gs





Picayune Rancheria  
of

**CHUKCHANSI INDIANS**

49260 Chapel Hill, PO Box 2226 \* Oakhurst, CA 93644 \* (559) 412-5590

Exhibit J

June 11, 2019

**Robert Mansfield**  
Madera County Planning Department  
200 W. 4<sup>th</sup> Street  
Madera, CA 93637

Dear Mr. Mansfield,

Picayune Rancheria of the Chukchansi Indians has received your letter in regards to PRJ #2019-003, Shingu, Garrett- Project- BdS- Oakhurst – (064-080-087-000). Attached are our comments and concerns for the proposed project.

*Sincerely,*

**Heather Airey**  
THPO/Cultural Resources Director  
559-676-9299  
hairey@chukchansi-nsn.gov

Community and Economic Development  
Planning Division

Becky Beavers  
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

**PROJECT REVIEW REQUEST**

DATE: May 30, 2019

Community Advisory Councils

- Ahwahnee Community Council
- Coarsegold Area Plan Committee

- North Fork Community Development Council
- Oakhurst Community Advisory Council

Review Agencies

- Madera County Agricultural Commissioner
- Madera County Sheriff's Office
- City of Chowchilla Planning Department
- City of Madera Planning Department
- California Department of Fish and Game
- California Department of Housing
- California Department of Transportation (CALTRANS)
- California Department of Water Resources
- California Regional Water Quality Control Board
- California Department of Conservation
- California Division of Oil and Gas
- San Joaquin Valley Unified Air Pollution Control District
- Archaeological Information Center - Bakersfield

Homeowners Associations

- Bass Lake Homeowners Assn
- Bonadelle Ranchos #5
- Bonadelle Ranchos Neighborhood Committee
- Cascadel Homeowners Assn
- Goldside Estates
- Hidden Lake Estates Homeowners Assn
- Indian Lakes Estates Property Owner Assn
- Lake Shore Park Subdivision
- Madera Ranchos Neighborhood Committee
- Pierce Lake Estates
- Pines Civic Council
- Rolling Hills Citizens Assn
- Sumner Hill Homeowners Assn
- Yosemite Lakes Park Owner Assn

- Requesting Tribes
- Other: Board of Supervisors - Tom Wheeler

**RETURN TO:**  
KAMARA BIAWOGI, Planning Department  
200 West 4th Street  
Madera, CA 93637  
Phone: (559) 675-7821

**REGARDING:**  
PRJ #2019-003, Shingu, Garrett - Project - BdS - Oakhurst (064-080-087-000)

The request consists of a Project - BdS to allow A Conditional Use Permit for 30 Units of Senior Apartments: Continuum of Care Senior Community - Village 3 and a Rezone from Residential, Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD)  
. The project is located On the South corner of North Slope Lane & Victoria Lane.

The attached application is being forwarded to you for your agency's review and comment. Please complete the attached Development Review form and return it to us prior to: June 13, 2019. If we do not receive comments from your Agency prior to this date, we will assume that your Agency has no comments to offer.

**PLEASE ATTACH A COPY OF THIS COVER SHEET TO THE FRONT OF YOUR COMMENTS**

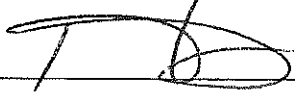
NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): PRJ #2019-003

Return to: Kamara Blawogi, Planning Department

Shingu, Garrett

Responding Agency: Picayune Rancheria of Chukchansi Indians Date: 4/11/19

Respondent's Signature: 

1. Does your Agency or Department have a recommendation regarding the approval or denial of this project?

           Approve            Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

Picayune Rancheria of the Chukchansi Indians does not approve  
or deny the project.

2. If the project is approved, what conditions of approval are recommended?

if the project is approved Picayune Rancheria of the chukchansi  
Indians would like to review the EIR survey done by  
John Brady.

3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?

Picayune Rancheria of the Chukchansi Indians would be  
involved in consultation during any ground disturbance.

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBLY OR TYPE:

Application(s): PRJ #2019-003

Return to: **Kamara Blawogi, Planning Department**

Shingu, Garrett

Responding Agency: Picayune Rancheria of the chukchansi Indians  
 Contact Person: Heather Arvey Signature: [Signature]  
 Telephone No.: 561-795-5986 Date: 4/11/19

ENVIRONMENTAL REVIEW:

1. Is there sufficient information for you to evaluate the probable environmental impacts of this project?

       Yes  
X No, the following information is needed: requesting the archaeology survey report.

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

There is potential of any discovery of Native American burials and culturally affiliated resources within the area

3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an EIR?

X Yes        No

**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:** June 13, 2019  
**TO:** Kamara Biawogi  
**FROM:** Madera County Public Works  
**SUBJECT:** Shingu, Garrett - Project - BdS - Oakhurst (064-080-087-000)

**Comments**

The applicant shall submit a stamped grading and drainage plan and application to the County prior to the issuance of a Commercial Permit. If applicable, 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.

Storm Water Design Criteria:

- Retention Basin:
  - oThe entire 100 year 10 day event post condition runoff
- Detention Basin
  - o100 year post development peak runoff rate must be reduced to a flow rate not greater than the 10 year pre development peak runoff rate

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.

Please contact the Public Works Department with any questions.

Haden Hinkle  
Madera County Public Works Department  
200 W. 4th Street, 3rd Floor  
Madera, CA 93637  
P 559.675.7811 ext 3503  
haden.hinkle@maderacounty.com

**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**

TO: Kamara Biawogi  
FROM: Madera County Public Works  
DATE: June 11, 2019  
RE: Shingu, Garrett - Project - BdS - Oakhurst (064-080-087-000)

---

**Comments**

The Parcel does not have enough sewer units allocated to it. The property owner will need to purchase the required amount of units. Please contact the Public Works Department for determination on the number of units required for the proposed project and the number of units that need to be purchased. The units will need to be purchase prior to the issuance of a commercial building permit. Please contact Haden Hinkle with at [haden.hinkle@maderacounty.com](mailto:haden.hinkle@maderacounty.com) with questions and sewer unit pricing.

**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:** July 19, 2019  
**TO:** Kamara Biawogi  
**FROM:** Phu Duong, Public Works  
**SUBJECT:** Shingu, Garrett - Project - BdS - Oakhurst (064-080-087-000)

*Comments*

Any dead-end road must provide a turn-round cul-de-sac per ST-15B



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: Kamara Blawogi  
 FROM: Dexter Marr, Environmental Health Division  
 DATE: June 13, 2019  
 RE: Shingu, Garrett - Project - BdS - Oakhurst (064-080-087-000)

Comments

TO: Planning Division  
 FROM: Environmental Health Division  
 DATE: May 31, 2019  
 RE: Project (PRJ) #2019-003, Shingu, Oakhurst  
 APN 064-080-087

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. Please provide a will serve letter from MD-22A.

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.

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: Kamara Biawogi  
FROM: Deborah Mahler, Fire Marshal  
DATE: June 13, 2019  
RE: Shingu, Garrett - Project - BdS - Oakhurst (064-080-087-000)

---

**Conditions**

Prior to complete building design contact the Fire Marshal's Office as available fire flows may not be sufficient to supply the total square footage proposed.

## Environmental Checklist Form

**Title of Proposal:** PRJ#2019-003 – Shingu, Garrett

**Date Checklist Submitted:** 06/26/19

**Agency Requiring Checklist:** Madera County Planning Department

**Agency Contact:** Kamara Biawogi, Planner II

**Phone:** (559) 675-7821 \*3251

### 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 the California Environmental Quality Act (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:

This is a request for a Conditional Use Permit for 34 Units of Senior Apartments for a Continuum of Care Senior Community - Village 3 and a Rezone from Residential, Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD). The property is located on the South corner of North Slope Lane & Victoria Lane (no situs), Oakhurst.

### Applicant Name and Address:

Garrett Shingu  
2009 V Street  
Sacramento, CA 95818

### General Plan Designation:

HDR (High Density Residential) Designation

### Zoning Designation:

RRS-2 1/2 (Residential, Rural, Single family - 2 ½ acre) Designation

### Surrounding Land Uses and Setting:

Residential, Planned Development

**Other Public Agencies whose approval is required:**

None

**Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

An archeological study (Exhibit H) was conducted for the proposed elderly care facility. No cultural resources were identified on the property as a result of the records search and field survey. A Tribal monitor has been requested to be on site during ground disturbance and construction.

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/Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Energy                             |
| <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                 | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

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.

\_\_\_\_\_  
Prior EIR or ND/MND Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I.	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 checked="" type="checkbox"/>	<input 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)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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 – c) Less than Significant Impact.** The project is located in a sparsely populated area in Oakhurst. The facility will spread over 2.85 acres of the parcel and will be an extension to the recently approved Residential Care Facility located directly east of the parcel. There are no outcroppings or historic buildings on this vacant parcel. Some trees may need to be removed.

The project would alter the existing visual character of the site due to the rural and vacant nature of the parcel. With the recently approved Residential Care Facility directly east of the proposed project, and the remaining surrounding residential parcels, there will be a less than significant impact on the visual character of the area.

**(d) Less than Significant Impact with Mitigation Incorporation.** With approval of a 34-unit elderly care facility, light pollution would increase within the surrounding areas of the facility. To mitigate this nuisance, conditions has been placed for all outdoor light to be hooded and directed away from neighboring properties and roadways.

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.

II. 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?

**Discussion:**

**(a - e) 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 Farmland Map prepared by the California Department of Conservation. The project parcel and its surroundings are not zoned for timberland uses, so there will be no impacts.

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 oversees 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 non-irrigated 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.

III.	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)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Discussion:</b>					
<b>(a - e) Less Than Significant Impact with Mitigation Incorporation.</b> The proposed project is subject to the standards of the San Joaquin Valley Air Pollution Control District standards. Subject to District Rule 9510, the applicant is required to complete an Air Impact Assessment (AIA) application, due to projects potential emissions.					
The proposed senior living center is in conformance with Madera County zoning and land use					



designations. Mitigation will be placed to ensure complies with applicable SJVAPCD rules and regulations.

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.

The California Environmental Quality Act (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.

IV. 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 type="checkbox"/>	<input checked="" 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?

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?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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?

**Discussion:**

**(a) Less than Significant Impact.** 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 surrounding 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 neighboring 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 proposed 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.

There are no habitats identified on this parcel, so no modifications are expected as a result of this project. There are no activities associated with this project off-site, therefore there will be no indirect impacts to habitats as a result. While there are candidate species identified in the quadrangle in which this project is located, given the commercial uses that has occurred in the area over the years, the chances of any of the listed species being on the parcel are less than likely.

There are no federally protected wetlands on or in the vicinity of this project. There are no streams or bodies of water of which migratory fish or other species that would use bodies of water would be impacted by this project.

The site is a rural lot surrounded by agricultural land. While there is a chance that any of the listed species might migrate through, given the proposed development on the site and its surroundings it is

unlikely any habitats exist.

Species	Federal_Status	State_Status	Dept. of Fish and Game Listing	CNPS Listing
Swainson's hawk	None	Threatened	-	-
tricolored blackbird	None	Candidate Endangered	SSC	-
yellow-headed blackbird	None	None	SSC	-
hoary bat	None	None	-	-
Hoover's cryptantha	None	None	-	1A
heartscale	None	None	-	1B.2
lesser saltscale	None	None	-	1B.1
subtle orache	None	None	-	1B.2
Northern California black walnut	None	None	-	1B.1
golden goodmania	None	None	-	4.2
recurved larkspur	None	None	-	1B.2

While the list below shows a number of species listed in the quadrangle in which this project is located, this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through. As mentioned, given the development in the immediate area, the chances of disturbing any species are considerably minimal.

### **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 Wildlife's databases for special status species have identified the following species:

**Dualton Quadrangle**

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)

SSC Species of Special Concern

WL Watch List

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](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html).

The Valley Elderberry Longhorn Beetle (VELB) 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 USFWWS, 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.

V. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

to §15064.5?

- c) Disturb any human remains, including those interred outside of formal cemeteries?

**Discussion:**

**(a - c) Less Than Significant with Mitigation Incorporation.** No known resources exist in the vicinity of this project. Tribal contacts have indicated that there is no cultural resources identified in the area, there impacts are expected to be less than likely. Mitigation has been placed to have a Tribal monitor on site during ground disturbance.

**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.

**VI. ENERGY**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a-b) No Impact.** There has been no evidence that the proposed projects energy consumption will have any significant impact in the immediate area. No impacts have been identified as a result of this project.

**VII. GEOLOGY AND SOILS -- Would the project:**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause 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"/>
f) 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"/>

**Discussion:**

**(a – e) No Impact.**

The parcel is in an area where it is topographically not conducive to landslides. There are no known impacts that will occur as a direct or indirect result of this project. 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.

**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.

VIII. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

**(a - b) Less than Significant Impact.** The operations of a senior living facility will have a less than significant impact relating to emitting greenhouse gases to the atmosphere. What little greenhouse gases generated will be from vehicular traffic related to construction on the site and generated traffic produced by a senior living facility. In addition, the proposed construction of each building will need to comply with building standards which require measures that attempt to mitigate GHG generation.

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.

IX.	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 checked="" type="checkbox"/>	<input 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)	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"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a – b) Less than Significant Impact.** The elderly care 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.

**(c) No Impact.** The operations of 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 – g) No Impact.** No impacts have been identified as a result of this project

**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>

X. 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 or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Discussion:**

**(a) No 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 - e) No Impact.**  
No impacts identified as a result of this project.

## **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.

XI.	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) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a - b) No Impact.** This project will not physically divide an existing community nor will have any significant environmental impact on the existing area. The surrounding area consist of residential zoned parcels, and a recently approved residential care facility east of the proposed project.

XII.	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 - b) No Impact.** There are no known minerals in the vicinity of the project site.

XIII.	NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
-------	--------------------------------------	--------------------------------	---	------------------------------	-----------

	Significant Impact	Significant with Mitigation Incorporation	Significant Impact	Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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"/>

**Discussion:**

**(a) Less Than Significant Impact.** The proposed assisted living facility is considered a noise-sensitive use. This type of 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 ground borne vibration, nor would it generate any permanent source of ground borne.

**(e) No Impact.** This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There will be no impacts as a result.

**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, 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.





		Mitigation Incorporation	ant 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 people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a - c) No Impact.** No impacts identified as a result of this project.

XV. PUBLIC SERVICES

	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a-i) Less Than Significant Impact.** There is a minimal chance that the proposed elderly care facility

could potentially start a grass fire in the area.

The Madera County Fire Department exists through a contract between Madera County and 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.

The building construction will be governed by the requisite Building, Life, Safety and Fire Codes applicable at the time of construction. The mitigation tied to this finding is written in such a manner as to leave open as to what year the applicable codes will be enforced at the time of construction. This will ensure that the most current codes are followed instead of being tied to outdated codes.

**(a - ii) No Impact.** Crime and emergency response is provided by the Madera County Sherriff's Department. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site.

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.

**(a-iii) No Impact.** No impacts are anticipated as a result of this project as it does not relate to any educational programs, or increase the surrounding 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

**(a - iv) No Impact.** No impacts are anticipated as a direct, indirect, short or long term impact as a result of this project.

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

**(a - v) No Impact.** No impacts identified as a result of this project.

XVI. RECREATION

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
--------------------------------	---------------------------------------	------------------------------	-----------

Incorporation

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 - b) No Impact.** No impacts have been identified to recreational facilities as a result of this project.

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

XVII. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric 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"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a - b) Less Than Significant Impact.** The project is projected to generate 73 daily vehicle trips. 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.

**(f) No Impact.** No impacts have been identified as a result of this project.

In the area around the proposed project, opportunities for bicycles and pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

Local circulation is largely deficient with these same State Highways and County Roads composing the only existing network of through streets. Most local streets are dead-end drives, many not conforming to current County improvement standards. Existing traffic, particularly during peak hour and key intersections, already exhibits congestion.

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.

As this project is not within an airport/airspace overlay district, or in proximity to any airport or airstrip within the County, no impacts to airspace or air flight will occur as a result.

<p>XVIII. TRIBAL CULTURAL RESOURCES Would the project:</p>	<p>Potentially Significant Impact</p>	<p>Less Than Significant With Mitigation Incorporation</p>	<p>Less Than Significant Impact</p>	<p>No Impact</p>
--	---	--	---	----------------------

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Discussion:**

**(a) Less Than Significant Impact with Mitigation Incorporation.** No known resources exist in the vicinity of this project. Tribal contacts have indicated that there is no cultural resources identified in the area, there impacts are expected to be less than likely. Mitigation has been placed to have a Tribal monitor on site during ground disturbance

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:**

**(a) No Impact.** The proposed project will be hooked up 10 MD 22A and will be required to follow 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) 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.

**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.

XX.	WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

**(a - d) No Impact.** No impacts have been identified as a result of this project.

XIX.	MANDATORY FINDINGS OF SIGNIFICANCE	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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- 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)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Discussion:**

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.

**(a - c) Less Than Significant Impact.** There have been minimal impacts identified through this study, some are considered less than significant in and of themselves, and/or cumulative inducing enough to be considered significant. With appropriate mitigations, those impacts can be reduced to no significant.

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

Madera County General Plan

California Department of Finance

California Department of Transportation (CALTRANS)

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](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 Air Quality Element of the General Plan (2010)

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Department of Public Works

Madera County Roads Department

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

RE: PRJ #2019-003 – Garrett Shingu

LOCATION AND DESCRIPTION OF PROJECT:


The subject property is located on the South corner of North Slope Lane & Victoria Lane (no situs), Oakhurst. This is a request for a Conditional Use Permit for 34 Units of Senior Apartments for a Continuum of Care Senior Community - Village 3 and a Rezone from Residential, Rural, Single family, 2 1/2(RRS-2 1/2) to Planned Development District (PDD).

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 Fourth Street, Ste. #3100, Madera, California.

DATED: August 6, 2019

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2019-15

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
<b>Aesthetics</b>								
1	Any proposed lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.	Operations	Planning					
<b>Agriculture/Forestry Resources</b>								
<b>Air Quality</b>								
1	Comply with San Joaquin Valley Air Pollution Control District conditions.							
2	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.	Prior to Building Permit	SJVAPCD					
3	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.	Operations						
4	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 earth moving activities as described in district Rule 8021 - <i>Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.</i>							
<b>Biological Resources</b>								
<b>Cultural Resources</b>								

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
						Initials	Date
	Energy						
	Geology and Soils						
	Greenhouse Gas Emissions						
	Hazards and Hazardous Materials						
	Hydrology and Water Quality						
	Land Use and Planning						
	Mineral Resources						
	Noise						
	Population and Housing						
	Public Services						
	Recreation						
	Transportation						
	<b>Tribal Cultural Resources</b>						
1	A Tribal Monitor must be on site once construction and ground disturbance commences.	Construction Phase					
	<b>Utilities and Service Systems</b>						
	Wildfire						
	<b>Mandatory Findings of Significance</b>						