
5.9 - Land Use

5.9.1 - Introduction

This section describes existing land use conditions and proposed project impacts on relevant land use plans, goals, and policies. In particular, the section discusses conformance with the Rio Mesa Area Plan (RMAP) and EIR, San Joaquin River Parkway Master Plan, and compatibility with the Millerton Lake State Recreational Area (SRA). Related information is located in Section 5.14, Parks and Recreation.

Rio Mesa Area Plan and EIR

The County Board of Supervisors adopted the RMAP on March 23, 1995. Included in the adopted Area Plan are goals, policies, objectives, and implementation programs for the development of the entire RMAP area. RMAP Land Use Element goals and policies are intended to provide a framework for the mix and allocation of uses within the land use plan, including guidance for design of subsequent Specific Plans, Infrastructure Master Plans, and Tentative Tract Maps. The RMAP Land Use Map identifies RR - Rural Residential, VLDR - Very Low Density Residential, LDR - Low Density Residential, and Mixed Use Village Core land uses within the project site.

5.9.2 - Existing Conditions

Existing Land Uses Onsite

The project site consists of open space comprised of rolling hills, Cottonwood Creek, exposed rock formations, and oak trees. The majority of the site has been continuously leased for cattle grazing. A small portion consists of a facility for commercial production of chickens. Remnants of previous activities on the site include: 1) former pozzoloan quarries (pozzoloan is mined as an admixture for concrete); 2) chimney remnants of an old ranch house; and 3) several storm culverts associated with grading in the 1960s for a golf course which was never completed north of Millerton Lake.

The project site includes twenty-eight (28) Madera County Assessors Parcels, of which twenty-three (23) are owned by Friant Development Corporation (totaling 2,084.32 acres) and five (5) are owned by others (totaling 149.27 acres) (Exhibit 5.9-1). The project proposes to develop portions of the following Sections (with Township and Range), all in Mount Diablo Base Meridian:

- Section 5 and 6 of T11S, R21E
- Section 1 of T11S, R20E
- Sections 21, 27, 28, 31, 32, and 33 of T10S, R21E

Surrounding Land Uses

The property is bounded by the Sierra Nevada foothills to the north, Road 145 to the west, Road 206 and the Madera Canal to the south, and Millerton Lake to the east. Land north of the project site is outside the RMAP, and is within the confines either of existing Williamson Act contracts or lands subject to conservation easements. East of the project site is Millerton Lake, owned by the U.S. Bureau of Reclamation, and operated by the State Parks and Recreation Department. The lake is

open to the public, with boat launches and campground facilities. Land south of the project site known as Central Green is within the RMAP and is designated for residential use. West of the project site and Road 206 are other residentially-designated lands within the RMAP.

Madera County General Plan and Zoning

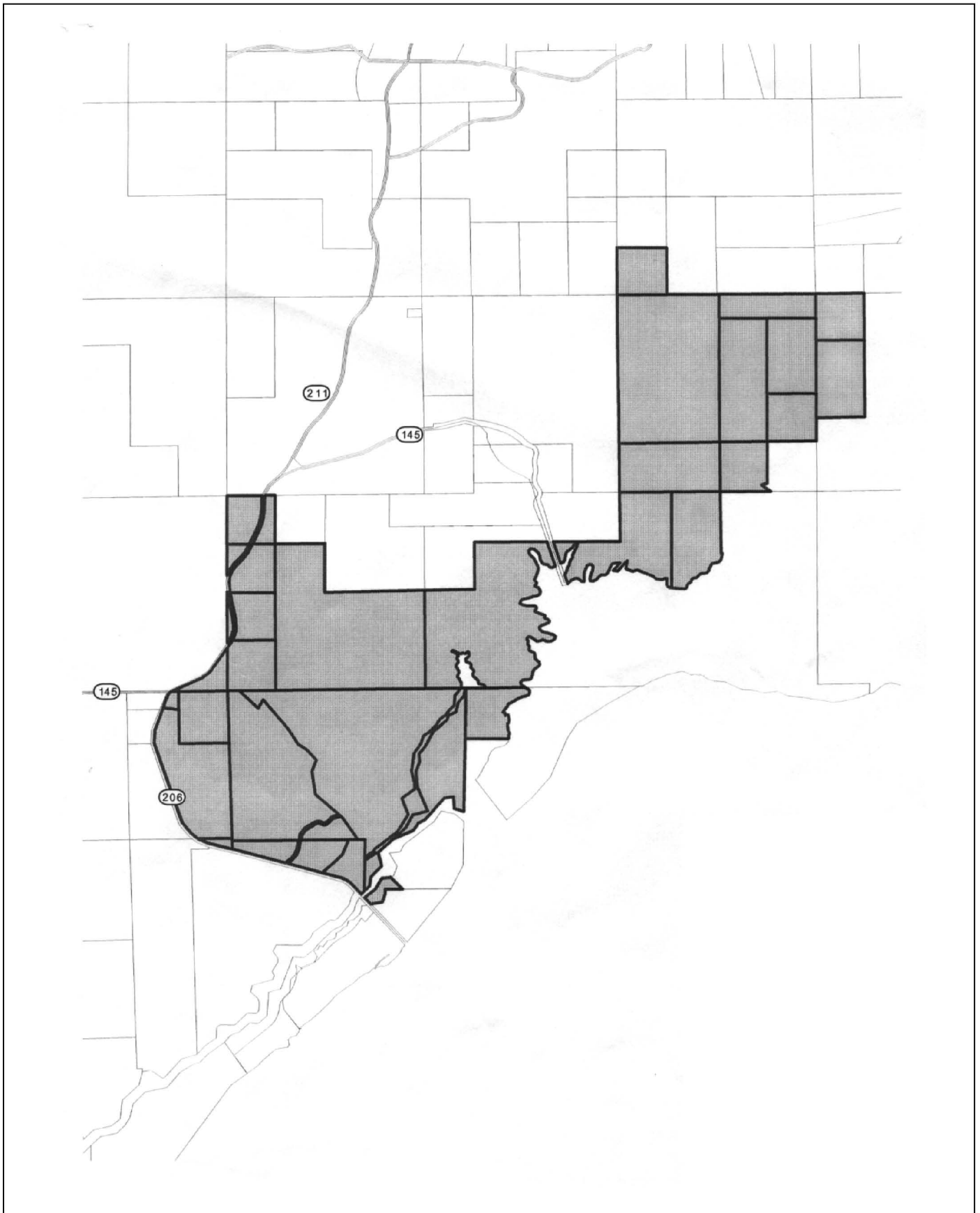
The Madera County General Plan was adopted on October 24, 1995 by Board of Supervisors Resolution number 95-256 and recognizes the RMAP as a component of the General Plan. The North Fork Village Logical Subarea, including the North Fork Village-1 site, is designated in the Madera County General Plan (1995) as a New Growth Area (NGA). The NGA designation applies to areas where significant new development is anticipated and planned to occur, and requires as a matter of policy that all development be approved pursuant to an adopted Area Plan. Prior to adoption of an Area Plan, allowable uses include those specified under the Agriculture (A) and Open Space (OS) designations.¹ The policies of the General Plan for the Rio Mesa NGA are implemented by the RMAP.

Current Madera County zoning for the project site is a combination of Agricultural Rural/Foothills and Agricultural Rural/Exclusive. As of winter 2007, the County is in the process of adopting several new zoning ordinances that are potentially applicable to uses and residential products included in the NFV-1 Specific Plan. These ordinances will establish the following new districts: RX-Residential, Small Lot District; RT-Residential Townhouse District; MCN-Mixed Use Commercial Neighborhood District; MCM-Mixed Use Commercial Multiple Family District; VCO-Village Core Overlaid District. The districts establish use regulations, structure location and setback requirements, height and lot dimension regulations, and off-street parking area requirements.

Rio Mesa Area Plan

Land use designations for the project area are identified in the RMAP, adopted by Madera County on March 21, 1995. A review of the RMAP Land Use Map indicates most of the land area in the RR - Rural Residential (0.1 to 0.5 dwelling units per acre); VLDR - Very Low Density Residential category (0.3 to 2.0 dwelling units per acre) and LDR - Low Density Residential (1.0 to 7.5 dwelling units per acre) categories. A Mixed-Use Village Core of approximately 30 acres is designated around the intersection of Road 206 and Rio Mesa Boulevard, surrounded by MDR - Medium Density Residential (5.0 to 12.0 dwelling units per acre) and HDR - High Density Residential (12.0 to 25.0 dwelling units per acre) areas.

¹ Madera County General Plan, (10/95), pg. 10.



Source: Friant Development Corp.

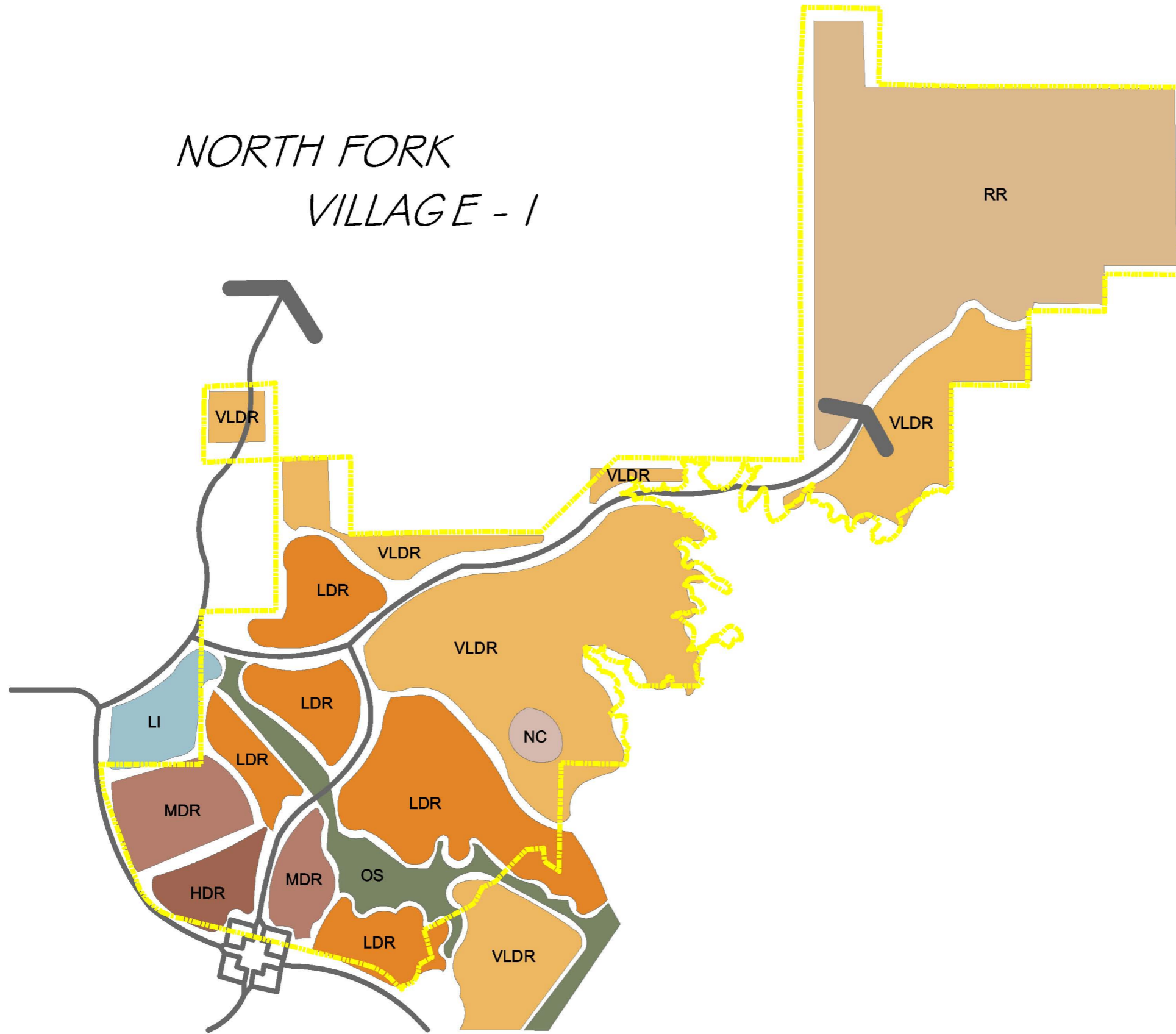











Michael Brandman Associates

16330008 • 12/2006 | 5.9-1_parcel_map.cdr

Exhibit 5.9-1 Parcel Map

NORTH FORK VILLAGE - 1



-  Project Boundary*
-  Rural Residential
-  Very Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Open Space
-  Light Industrial
-  Neighborhood Commercial

Source: Forma.



Michael Brandman Associates

16330008 • 12/2006 | 5.9-2_gen_plan.cdr

Exhibit 5.9-2 General Plan Land Use and Zoning

NORTH FORK VILLAGE-1 SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

Table 5.9-1: Rio Mesa Area Plan Land Use Summary for NFV-1

TAZ	VC(R) Units	MR Units	LR Units	VLR Units	RR Units	Total Units	VC(C) Acres	Comm. Acres	Emp.
730	—	—		155	152	307	—	—	0
731	—	—	310	554	—	864	—	10	218
732	—	424	667	—	—	1,091	—	—	0
733	—	488	874	107	—	1,469	—	—	0
757	263	—	—	—	—	263	15	—	327
Total	263	912	1,851	816	152	3,994	15	10	545
TAZ = Traffic Analysis Zone LR = Low Residential VC(C) = Village Core Commercial			VC(R) = Village Core Residential VLR = Very Low Residential Comm. = Commercial;			MR = Medium Residential RR = Rural Residential Emp = Employment			

San Joaquin River Parkway Master Plan

The San Joaquin River Parkway Plan, completed in March 1992, is a conceptual long-range planning document intended to help preserve, enhance, and provide for the enjoyment of the natural landscape of the San Joaquin River corridor. The San Joaquin River Conservancy is a regionally-governed state agency created by the state legislature to further the goals of the plan and guide its implementation. The Parkway Plan addresses a Parkway area defined by statute to generally consist of the San Joaquin River and approximately 5,900 acres of land on both sides of the river between Friant Dam and the Highway 99 crossing. Approximately 1,900 acres of the parkway are located in Madera County and 4,000 acres in Fresno County.

The Parkway Plan is a regional resource management plan for the San Joaquin River. It contains fundamental and specific goals, policies and recreational, educational and resource component designations to be considered by the local jurisdictions. The Madera County Board of Supervisors adopted recreational trails, water resources and wetland/riparian area policies in its General Plan that are interrelated and supportive of the Parkway Plan. The plan includes the following fundamental goals for the San Joaquin River and adjacent river bottom areas:²

- Preserve and restore a riparian corridor of regional significance along the San Joaquin River from Friant Dam to the Highway 145 crossing.
- Protect wildlife species that depend on or prefer the river environment for at least part of their existence.
- Protect irreplaceable natural and cultural resources in a way that will also meet people's recreational and educational needs.
- Protect existing undeveloped areas of the river bottom, which should remain non-urbanized and be retained in open space or agriculture if feasible.

² Interim Parkway Master Plan and Interim Goals, Objectives and Policies for the San Joaquin River Parkway, San Joaquin River Conservancy, December 1995, pg. 40.

- Provide land use and management policies for the San Joaquin River and areas of the river bottom included in the parkway that will enhance the attractiveness of the Fresno-Madera metropolitan area and enhance the quality of life of its residents.

The Madera Canal separates the North Fork Village-1 project site from property recently acquired by the San Joaquin River Conservancy (former 'Wagner Property') at the extreme north end of the Parkway Plan area below Friant Dam. The Conservancy's property includes the mouth of Cottonwood Creek. Most of the Conservancy's property is designated Very Low Density Residential (VLDR) in the RMAP.

Millerton Lake State Recreational Area

Millerton Lake, located east of the North Fork Village-1 site, is owned by the U.S. Bureau of Reclamation and operated as a State Recreational Area (SRA) by the State of California Parks and Recreation Department (DPR). The lake is open to the public, with boat launches on the north and south sides of the lake. The north shore also contains campground facilities operated by the State. The State ownership includes land up to the 600' contour elevation surrounding the lake. With over 340,000 annual visitors, the lake is a prime recreational facility and natural/cultural resource in the Southern Sierra foothills and San Joaquin Valley.³ DPR and the Bureau of Reclamation are currently (2006) in the process of updating use plans for Millerton Lake.⁴ These plans are not available as of March 2007.

5.9.3 - Thresholds of Significance

In accordance with CEQA Guidelines Appendix G, a project can be considered to have a significant impact on Land Use and Planning if it would:

- a) Physically divide an established community;
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or,
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan.

³ Source: California State Parks System 2004/2005 Statistical Report.

⁴ Personal communication with Mr. Jess Cooper, Millerton Lake State Recreational Area. (10/25/06).

5.9.4 - Project Impacts

Impact 5.9-1: Components of the proposed project would conflict with various plans and policies for the project area adopted for purposes of avoiding or mitigating an environmental effect. (Threshold b.)

Consistency with Madera County General Plan Goals and Policies

The North Fork Village-1 Specific Plan was prepared in accordance with relevant goals, policies, and provisions of the County of Madera General Plan. Within the Specific Plan and in Appendix G of this EIR, the pertinent goals and policies specified under each section of the General Plan are identified followed by a discussion of the Specific Plan's conformance to such goals and policies. This analysis demonstrates that the Specific Plan is in general conformity with all of the General Plan goals and policies.

Consistency with Rio Mesa Area Plan Land Use and Policies

The RMAP was adopted to implement the General Plan land use element and policies for the Rio Mesa area, and is consistent with the General Plan. In the following analysis, the proposed North Fork Village-1 (NFV-1) project is evaluated with respect to the RMAP to determine whether there are significant conflicts with designated land uses, policies, or regulations adopted by the County for the purpose of avoiding or mitigating a significant environmental effect. The proposed project involves approval of a specific plan, Phase 1 Tentative Tract Map, and subsequent phase subdivision maps, grading permits, street improvement plans, final site plans, development agreement, and other related actions for property located within the NFV-1 subarea of the RMAP. Each future development application for development within NFV-1 will be reviewed by the County for consistency with the General Plan, RMAP, Zoning Code, and specific plan. This will ensure that future projects are consistent with provisions of these relevant planning programs.

The RMAP designates approximately 3,994 residential units on 2,087 acres in the area of the North Fork Village-1 project (RMAP Final EIR Volume I, Table 4.3-6, Zones 730, 731, 732, 733, 757), with a resulting gross area density of 1.9 units per acre. Within approximately the same area as defined by these zones, the proposed project identifies 2,966 residential units on 2,238 acres, with a resulting gross area density of 1.3 units per acre. This represents a reduction of 998 residential units from the RMAP. Recognizing the policies and standards of the RMAP designed to preserve and retain open space and significant natural features including topography/landform and biological resources, the specific plan has included approximately 799 gross acres of the NFV-1 site in major open space categories. Nevertheless, a significant density variance from the RMAP would cause the proposed project to be inconsistent with RMAP. This is a potentially significant impact.

The RMAP designates 15 acres as Village Core (Commercial) and an additional 10 acres as Neighborhood Commercial, totaling 25 Commercial acres within the zones that define the proposed project site. The NFV-1 Specific Plan designates approximately 76 acres as Mixed-Use and 62 acres as Commercial/Office. Therefore, the Specific Plan allocation for Commercial and employment-

generating uses meets or exceeds the allocation in the RMAP for this area, and no conflict with RMAP policies will occur.

A consistency table has been included in EIR Appendix G (Table Appendix 11-A-2) that relates the RMAP goals and policies to the proposed project. Over 100 goals and policies were reviewed. The proposed project was found to be either consistent or generally consistent with all applicable goals and policies.

Table 5.9-2 below summarizes the consistency table for the Land Use Element goals and policies.

Table 5.9-2: Rio Mesa Area Plan-Land Use Plan/Project Consistency

Land Use Plan Goals and Policies	Project Consistency
Goal 1: Create a balanced community to include residential, commercial, employment, open space and recreational opportunities for residents.	Consistent - the NFV-1 SP includes 1,459 acres for 2,522 du, 160 acres of mixed use and commercial area, 47 acres for community facilities, 327 acres for environmental support, and 23 acres of parks/open space providing a balanced mixture of land uses.
Goal 2: Allow for a range of product types and densities to provide housing opportunities to a variety of income levels and family needs and to respond to changing market conditions.	Consistent - NFV-1 SP includes rural, very low, low, medium, and high density residential and, in addition provides a mixed use environment to respond to a variety of income levels and changing market conditions.
Goal 3: Protect the economic viability of agricultural uses until transition to urban uses occurs.	Consistent - NFV-1 SP calls for a continuation of cattle ranching operations on-site while accommodating residential growth on a phased basis. Also, the project area is relatively self-contained by Millerton Lake to the east, steep hillsides to the north, and by Roads 206, and 145 to the west and south, which will continue to provide a separation and buffer to other agricultural lands and developing lands within Rio Mesa to the west and south. The Specific Plan development will be phased internally with services and infrastructure, so that the opportunity to continue limited grazing activities within the northernmost areas of the site outside the Phase 1 NFV-1 Tentative Tract will remain, until these areas are ready for development.
Goal 4: Ensure adequate, timely and cost effective public services for land contained in the area plan.	Consistent - the NFV-1 SP includes a comprehensive plan for the phased development of roads, utilities, schools, a fire station and waste water treatment plant to assure that adequate public services are available concurrent with development.
Policy 1.1: Encourage jobs generating uses that will increase employment opportunities for Madera County residents.	Consistent - the NFV-1 SP includes 160 acres and a maximum of 1.5 million square feet of mixed use and office/commercial uses to provide job opportunities.

Table 5.9-2 (Cont.): Rio Mesa Area Plan-Land Use Plan/Project Consistency

Land Use Plan Goals and Policies	Project Consistency
<p>Policy 1.2: Provide for limited commercial and commercial recreation development outside mixed-use core service areas to provide greater convenience to residents.</p>	<p>Consistent - the NFV-1 SP provides recreation throughout the project area, and commercial uses are concentrated in one area. However, mixed used commercial areas are spread throughout the area to provide resident serving establishments for the convenience of residents.</p>
<p>Policy 1.3: Employment Centers located outside of Core areas should provide services such as restaurants, child care, business support and other facilities that reduce the need for trips out of the centers.</p>	<p>Consistent - the NFV-1 SP provides mixed used commercial areas spread throughout the area to provide resident serving establishments for the convenience of residents.</p>
<p>Policy 1.4: Designate future employment centers in locations that are easily accessible to major roadways, restaurants and services.</p>	<p>Consistent - the NFV-1 provides the major commercial area near the intersection of Road 206 and Rio Mesa Boulevard.</p>
<p>Policy 1.5: Provide for employment centers including office and industrial uses located throughout the community to provide employment opportunities to residents and to decrease the dependence on Fresno and outside areas for jobs.</p>	<p>Consistent - the NFV-1 SP includes 160 acres of mixed use and a maximum of 1.5 million square feet of office/commercial uses to provide job opportunities.</p>
<p>Policy 2.1: Provide designated densities for each residential land use and allow the transferring of units to promote a variety of product types.</p>	<p>Consistent - NFV-1 SP includes rural, very low, low, medium, and high density residential in specific areas and provides for conversion within residential areas and within mixed use areas. (See section 3.6.3 of SP)</p>
<p>Policy 2.2: Allow for the transferring of units between land use designations to provide flexibility.</p>	<p>Consistent - NFV-1 SP provides for conversion of densities within residential areas and for conversion of uses within mixed use areas. (See section 3.6.3 of SP)</p>
<p>Policy 2.3: Concentrate residential development to create neighborhoods that have a distinctive character to include a mixture of housing types and prices supported by shops, services, employment and public services.</p>	<p>Consistent - the NFV-1 SP provides six distinct neighborhoods with mixed use, surrounded by higher density residential, then lower density residential complete with necessary support facilities. This land use design in conjunction with architectural controls, signage and entrance treatments assures that each neighborhood has a distinctive character</p>
<p>Policy 2.5: Provide affordable housing opportunities within the high and medium density residential land use designations.</p>	<p>Generally Consistent - the NFV-1 SP provides a variety of housing types appealing to a range of income levels. Opportunities and provisions for affordable housing may be addressed in a Development Agreement.</p>
<p>Policy 2.6: Integrate and disperse affordable housing units throughout the high and medium density neighborhoods, thereby avoiding the concentration of affordable units in one area.</p>	<p>Generally Consistent - the NFV-1 SP provides high density residential in one area of the project north of Road 206 and a mixed use area; however, medium density units are positioned in eight other planning areas throughout the project site.</p>

Table 5.9-2 (Cont.): Rio Mesa Area Plan-Land Use Plan/Project Consistency

Land Use Plan Goals and Policies	Project Consistency
<p>Policy 2.7: Projects are expected to build to the designated density for that land use. However, projects may either build below designated densities, or may build to the maximum General Plan land use density through a density transfer program, provided the financial integrity of the infrastructure master plan is assured and the dwelling unit yield for that land use is not exceeded.</p>	<p>Consistent - the NFV-1 SP provides a flexible residential unit conversion plan that maintains the overall number of units. (See section 3.6.3 of the SP)</p>
<p>Policy 3.1: Retain agricultural uses until development to urban uses becomes viable and can be readily serviced. The transition should be made incremental in conjunction with the ability to provide services and infrastructure.</p>	<p>Consistent - the NFV-1 SP will be phased internally with services and infrastructure, so that the opportunity to continue limited grazing activities within the northernmost areas of the site outside the Phase 1 NFV-1 Tentative Tract will remain, until these areas are ready for development.</p>
<p>Policy 4.1: Provide adequate school, park and recreational facilities at time of need through coordination between appropriate districts, the County and private development proponents.</p>	<p>Consistent - the NFV-1 SP includes a comprehensive plan for the phased development of roads, utilities, schools, a fire station and waste water treatment plant to assure that adequate public services are available as development comes on line.</p>
<p>Policy 4.2: The Rio Mesa area should be consolidated into one school district. This can be accomplished by joining an existing district or creation of a new separate district.</p>	<p>Not applicable - this provision is beyond the scope of the NFV-1 SP which does not provide for school district consolidation.</p>

Consistency with County Zoning

The NFV-1 Specific Plan establishes use regulations and standards tailored to the specific project and site conditions. To the extent practical, these regulations and standards will conform to existing County ordinances and pending new zoning districts for corresponding residential and mixed use designations. At a minimum, development setbacks in the NFV-1 Specific Plan shall conform to corresponding setback requirements established in the new County district ordinances. *No significant conflicts with County zoning will occur.*

Consistency with San Joaquin River Parkway Master Plan

The RMAP EIR indicated that until plans for the control and management of public access from Rio Mesa to the San Joaquin River Parkway are developed and implemented, recreational impacts of increased access and activity within the San Joaquin River Parkway remain cumulatively significant and unavoidable.

The proposed project is not contiguous with the San Joaquin River, although it is adjacent property at the mouth of Cottonwood Creek acquired by the San Joaquin River Conservancy to further the goals and objectives of the Parkway Master Plan. The acquired property is designated Very Low Residential in the RMAP. NFV-1 Planning Area 18 (Medium Density Residential) within the South Creek Neighborhood is separated from the Conservancy property by the Madera Canal; NFV-1 Planning Area 21 (Natural Open Space) also adjoins the Conservancy property. In addition to the

canal separation, the project includes a building setback requirement with a minimum distance of 50 feet along the right-of-way of the canal to provide additional separation.

The proposed project supports Parkway Master Plan goals to 1) preserve the regionally significant riparian corridor and protect undeveloped areas of the river bottom, 2) protect irreplaceable natural resources that will also meet recreational and educational needs, and 3) protect wildlife species that depend on the river environment by including Cottonwood Creek within an Open Space-Natural designation that also includes a riparian protection zone. The riparian protection buffer provided around Cottonwood Creek shall be a minimum of 150 horizontal feet as measured from the seasonal top of the creek bank. Project restoration of Cottonwood Creek shall include planting and repopulation of native trees and plants to offset the impact of decades of cattle ranching and enhance the value of this tributary to the San Joaquin River as a wildlife corridor. The riparian protection zone is surrounded by additional natural open space within the Cottonwood Creek corridor that will be available to support a local use pedestrian trail connection to the regional trail system planned within the San Joaquin River corridor. The design and timing of this trail connection will be coordinated with the Conservancy. A trail connection from the Cottonwood Creek trail will be provided through the proposed project to link with the Millerton Lake SRA trail, which proceeds for another 3.5 miles along the lake to Hidden Lake Estates. This link will promote regional trail connectivity and ultimately may provide an opportunity to link the Parkway Master Plan trail system to the San Joaquin River upper watershed trail.

To protect water resources of Cottonwood Creek and the San Joaquin River, the proposed project includes storm water detention facilities in minor drainage channels in order to collect, cleanse and percolate drainage waters into the existing aquifer. All drainage water that is detained and potentially released shall be cleansed of grease, oils and silts which could otherwise degrade downstream water quality.

With the inclusion of these project design features identified in the Specific Plan, the proposed project does not conflict with the goals and objectives of the San Joaquin River Parkway Master Plan.

Consistency with Millerton Lake State Recreational Area

The proposed project includes Commercial/Office, Mixed Use, Medium Density Residential, Low Density Residential, Very Low Residential and Open Space-Natural use designations along its extensive common boundary with Millerton Lake SRA (Exhibit 3-4).

Within Phases 1 and 2 of the project (Exhibit 3-15) encompassing Tentative Tract NFV-1, uses adjacent the SRA include a small Commercial parcel, Open Space-Natural areas along steeper slopes within lake inlets, and Very Low Density Residential areas along the promontories overlooking the lake. The remainder of the SRA frontage is included within Phase 5 of NFV-1, identified for future development. Uses along this latter phase frontage include several small Mixed Use areas on promontories above a major lake inlet, Very Low Density and Low Density Residential areas along a plateau overlooking the lake, a Medium Density Residential area, and an additional Very Low

Density Residential further to the north. The overall development concept emphasizes locating residential development on hilltops, ridges, and promontories above the lake, while protecting the sensitive natural slopes of the lake inlets that extend into the project site (Exhibit 5.1-2). As the lake level fluctuates annually between 460' elevation and 584' elevation, the separation between the lake shoreline and proposed development on promontories and hills above the lake can vary widely.

Where proposed single-family residences abut Millerton Lake SRA campground sites, a minimum one-hundred (100) foot building setback will be required and a minimum sixty (60) inch high chain link fence with fourteen (14) inch opening at the bottom shall be constructed at the boundary (Exhibit 3-8). The fence will be integrated with landscaping in order to shield and integrate the fence with surrounding vegetation. The purpose of the fence is to discourage cross access between the adjoining properties, while allowing native fauna an opportunity to cross the perimeter.

Where the project site abuts other Millerton Lake SRA open space, building setbacks and landscape buffers (50' wide) shall be provided within the project to provide a transition between residential uses and natural areas. Walls and boundary fencing will be minimized. Landscaping within the buffer shall include a mix of drought tolerant native plant materials, developed in consultation with California Department of Fish and Game, and with California Department of Parks and Recreation (DPR), with limited ornamental species in developed areas. At locations where fences may be desirable to further control or limit access between project roads, trails and the Millerton Lake SRA, boundary and fencing plans will be reviewed with DPR at the tentative tract map level.

Open space areas adjacent Millerton Lake SRA are classified as Open Space-Natural. The proposed project will increase the risk of wildfires along the common boundary with Millerton Lake SRA. Without provisions for firebreaks and fuel modification areas within these natural slope areas, the increased risk of wildfire at the urban/wildland-park interface contributes to a potentially significant land use impact. Firebreak location and design will be coordinated with DPR along the entire length of the NFV-1 and Millerton Lake SRA boundary.

Specific Plan land uses are generally consistent with the RMAP, which designated the slopes and hillsides west and north of Millerton Lake for a residential uses consistent with a lake-oriented residential village concept. The Specific Plan includes design standards for the project boundary with Millerton Lake SRA that attempt to balance access control objectives with the need to accommodate wildlife movement and preserve view opportunities. Despite these design features, the potential for unwanted human access or trespass at the project and Millerton Lake SRA boundary remains a potentially significant land use impact of the proposed project.

Impact 5.9-2: Physically divide an established community (Threshold a.)

The project proposes urban development at a location and density that is consistent with the Rio Mesa Area Plan (RMAP). The project is surrounded by lands to the west, north, and east that are outside

the RMAP and are zoned AG/Rural/Exclusive, AG/Rural/Foothill and Public Open Space. *The project does not divide any established community.*

Impact 5.9-3: Conflict with any applicable habitat conservation plan or natural community conservation plan (Threshold c.)

The proposed project is not included within any adopted habitat conservation plan (HCP) or natural community conservation plan (NCCP) area. *Therefore, the project will neither directly or indirectly conflict with any such plans.* Also refer to Section 5.4, Biological Resources, for information regarding habitat conservation plans.

5.9.5 - Cumulative Impacts

The proposed North Fork Village Estates-1 project will increase human activity and recreational access to both the Millerton Lake SRA and the San Joaquin River corridor. This is a cumulatively significant and unavoidable impact that was documented in the RMAP EIR.

The project implements the RMAP in allowing development of the site. The density proposed in the RMAP cannot be fully achieved on the project site without resulting in increased impacts to topography/landform and biological resources, and without reducing the significant open space provisions and set asides established with the Specific Plan.

The cumulative density reduction for the site is estimated at 998 residential units. Although this density reduction could theoretically be compensated for with increased density in other areas of the RMAP that are not similarly constrained by topography and natural features, such densities increases may not actually occur in the balance of the RMAP, and the buildout of the RMAP may never achieve the forecast density. Should the density never meet the projections in the RMAP, the cumulative impact of increased population in the immediate vicinity would be reduced. However, population growth pressures may be refocused on other areas in Madera or Fresno counties to accommodate population increases over time. This cumulative impact is considered less than significant.

5.9.6 - Mitigation Measures

Rio Mesa Area Plan

Collectively, the land use element policies of the Area Plan were identified as mitigation measures for significant Area Plan impacts. These policies are listed in Table 5.9-2.

Additional Project Mitigation Measures

The following measures are added to reduce the significant impacts of the proposed project.

- LU-1** Findings should be recommended by the Planning Commission to the Board of Supervisors that site specific limitations on the proposed site exist as documented in the EIR that would prevent the proposed project from achieving the density

envisioned by the RMAP, and that given such site limitations the density proposed is acceptable under the policies of the Area Plan.

- LU-2** To reduce the project's contribution to recreational impacts of increased access and activity within the San Joaquin River Parkway, the specific design, location, and timing of implementation of the Cottonwood Creek trail extension to the Parkway Corridor shall be coordinated with the San Joaquin River Parkway Conservancy. To the extent feasible, public access shall be limited to access points that are consistent with regional trail system plans.
- LU-3** The project shall make publicly available educational pamphlets or other materials promoting awareness and stewardship of the significant resource values of the San Joaquin River Parkway corridor. These materials may be provided at appropriate locations within the project (e.g. information kiosks, shopping centers, trailheads, etc.). Content of the materials will be coordinated with the Parkway Conservancy.
- LU-4** Prior to recordation of any Final Map sharing a common boundary with Millerton Lake State Recreation Area (SRA), the project shall prepare a Boundary Zone Plan specifying the proposed boundary design in conformance with the standards and guidelines of the Specific Plan. The boundary zone plan shall identify specific access control measures to be employed (e.g. fencing, walls, signage, etc.), landscape treatments, and fire hazard reduction measures. The Boundary Zone Plan shall conform to the standards and guidelines of the Specific Plan, and shall be made available for review and comment by the California Department of Parks and Recreation (DPR) and Millerton Lake SRA.
- LU-5** The project shall make available to the public pamphlets that promote awareness of the resource values of the Millerton Lake SRA and identify designated SRA facilities and access points. These materials shall be provided at residential occupancy, and may be made available through Homeowners' Associations to residents and guests. Content of the materials will be coordinated with DPR and Millerton Lake SRA.

5.9.7 - Level of Significance After Mitigation

The recreational impacts of increased access and activity within the San Joaquin River Parkway will remain cumulatively significant. All other land use impacts are less than significant.