



## **5.0 DESCRIPTION OF ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES**

### **5.1 LAND USE AND RELEVANT PLANNING**

The purpose of this Section is to identify the existing land use conditions, analyze Project compatibility with existing uses and evaluate consistency with relevant planning policies. Mitigation measures will also be recommended to avoid or lessen the significance of potential impacts, if necessary. Information presented in this section is based upon site surveys performed by RBF Consulting, site photographs, the *Madera County General Plan*, the *Madera County Background Report*, the *Madera County Zoning Ordinance* and the *Ahwahnee/Nipinnawasee Area Plan*. This section identifies on-site and surrounding land use conditions and land use policy requirements set forth by Madera County.

#### **EXISTING CONDITIONS**

##### **ON-SITE LAND USES**

The 487-acre Project site is located in the unincorporated area of eastern Madera County, along Opah Drive and approximately 0.75 miles north of its intersection with Harmony Lane (Oakhurst) (refer to Exhibit 3-2, *Site Vicinity*). The property is located in a rural residential area, which transitions between the rolling foothills and mountain ranges of the Sierra Nevada Mountains. Access to the site is provided via State Route (SR) 41, which provides access to and from the Fresno metropolitan area, to the foothills and mountains of Madera County.

The Project site contains moderate to steep slopes, including slopes in excess of 30 percent, and intermediate and dense vegetation. Two perennial creeks are located within the Project boundaries: Miami Creek enters the site from the east and generally traverses the southern boundary of the Project site; and Carter Creek enters the site near from the northwest. The two creeks actually converge between lots 288 and 292 on the west side of the golf course. In addition, several small ponds are located within the Project area.

##### **SURROUNDING LAND USES**

Centrally located between the northern and southern portions of the Project site is the 142-acre Sierra Meadows Golf Course and Country Club. The Sierra Meadows facility has been in operation for 15 years and includes an 18-hole golf course (Sierra Meadows Ranch Course), driving range, clubhouse, restaurant, pool, and associated amenities. As of fall 2004, of the 58 lots in the Ahwahnee Country Club Estates adjacent to the golf course, homes have been built on 31 lots. Of the remaining 27 lots, approximately 22 have been graded and are ready for new construction. The community involves custom home rural residential lots ranging from 1.2 to 2.99 gross acres, similar to those proposed with the current Project. The community includes



areas zoned for a mixture of Residential, Rural, Single-Family District (RRS), RRS-2.0 and RRS-2.5, which consist of 1.0-, 2.0-, and 2.5-acre minimum lot sizes, respectively. Additional land uses surrounding the Project site include the following:

- North: Vacant areas to the north are zoned Rural, Mountain District (RM) and RRS-5. Areas zoned RM consist of two-acre minimum lot sizes, while RRS-5 areas consist of 5-acre minimum lot sizes.
- South: Uses to the south of the Project area are zoned RM; Agriculture, Rural, Exclusive, Forty-Acre District (ARE-40); and RRS-5. Areas zoned ARE-40 consist of 36-acre minimum lot sizes.
- East: To the east of the Project site are areas zoned as Open Space District (OS). Typical open space uses include agriculture, golf courses, and utility easements. A recreational vehicle (RV) park containing 54 RV spaces and six rental cabins is located immediately east of the Project site, southeast of the existing golf clubhouse.<sup>1</sup>
- West: Uses to the west of the Project consist of undeveloped vacant land zoned Residential, Mountain, Single-Family Mountain District (RMS) and RM. RMS zoned areas consist of lot standards that are to be consistent with County Ordinances and state law.

## **MADERA COUNTY GENERAL PLAN AND BACKGROUND REPORT**

The Madera County General Plan consists of two types of documents: the countywide *General Plan* and a set of more detailed area plans covering specific areas of the unincorporated County. The *General Plan* provides an overall framework for development of the County and protection of natural and cultural resources. The goals and policies contained in the *Policy Document* are applicable throughout the County. Area plans, adopted in the same manner as the countywide *General Plan*, provide a more detailed focus on specific geographic areas within the unincorporated County. The goals and policies contained in the area plans supplement and elaborate upon, but do not supersede, the goals and policies of the *Policy Document*. The Project site is located within the boundaries of the *Ahwahnee/Nipinnawasee Area Plan* (refer to discussion below).

In the unincorporated areas of the County, there is one applicable land use diagram and circulation plan diagram. All unincorporated territory is subject to the specifications of the *Land Use Diagram* and *Circulation Plan Diagram* contained in the *Policy Document*.

The countywide *General Plan* consists of two documents: the *Background Report* and the *Policy Document*. In addition, the adopted *Housing Element* addresses housing issues on a countywide basis. The *Background Report* inventories and analyzes existing conditions and trends in Madera County. It provides the formal supporting documentation for General Plan policy, addressing ten subject areas: land use; population; economic conditions and fiscal considerations; transportation

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<sup>1</sup> An additional 101 spaces have been rough graded to accommodate expansion.



and circulation; public facilities; public services; recreational and cultural resources; safety; and noise.

The *General Plan Policy Document* includes goals, policies, standards, implementation programs, the *Land Use Diagram*, and the *Circulation Plan Diagram*, which constitute Madera County's formal policies for land use, development, and environmental quality.

## **Land Use**

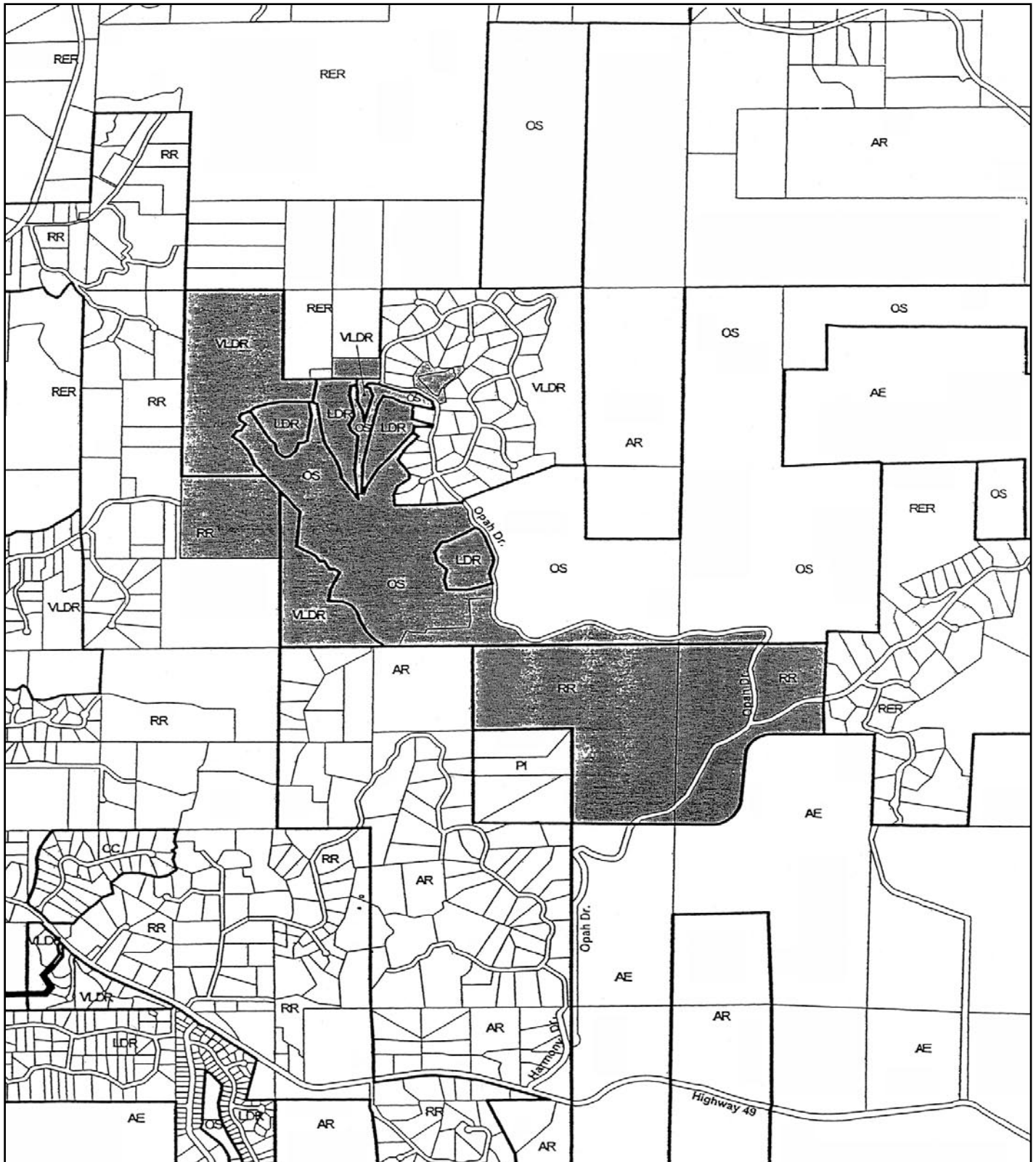
The General Plan includes 21 land use designations to depict the types of land uses that are allowed in the different geographic areas of the unincorporated county. The existing General Plan land uses designations on the Project site, according to the *Land Use Diagram*, are illustrated Exhibit 5.1-1, *Existing General Plan/Area Plan Designations*, and described as follows:

- Open Space (OS) – This designation provides for low-intensity agricultural uses, grazing, forestry, golf courses, recreational and equestrian uses, major electrical and trunk communication transmission lines, habitat protection, irrigation canals, reservoirs, refuse disposal sites, airports and airstrips, watershed management, public and quasi-public uses, mining, and areas typically unsuitable for human occupation due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally-sensitive features.
- Rural Estate Residential (RER) and Rural Residential (RR) – These designations provide for single-family detached homes, secondary residential units, limited agricultural uses, public and quasi-public uses, and similar and compatible uses.
- Very Low Density Residential (VLDR) and Low Density Residential (LDR) – These designations provide for single-family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar and compatible uses.

Table 5.1-1, *Summary of Existing General Plan Designations*, outlines the land use designations on the Project site and specifies the development standards for each land use designation. As indicated in Table 5.1-1, the Project site's residential development potential, based on the existing General Plan designations, is approximately 832 dwelling units.

## **Transportation and Circulation**

According to Figure I-1 of the General Plan, *Circulation Plan Diagram*, two state highways, SR-41 and SR-49, intersect southeast of the Project site. SR-41 is a two-



Source: Madera County General Plan, 1995.



Not to Scale



PLANNING ■ DESIGN ■ CONSTRUCTION

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ENVIRONMENTAL IMPACT REPORT  
 SIERRA MEADOWS ESTATES SUBDIVISION  
**Existing General Plan/  
 Area Plan Designations**



**Table 5.1-1  
Summary of Existing General Plan Designations**

General Plan Land Use Designation	Acres	Development Standards		Dwelling Unit Potential
		Minimum Lot Area	Range/Maximum DUs per Gross Acre or per Parcel	
Open Space (OS)	73.43	None	Maximum 0.05 DU per gross acre	3.67
Rural Estate Residential (RER)	40.10	5 acres	Maximum 2.00 DU per parcel	16.04
Rural Residential (RR)	260.31	As determined by Zoning	Maximum 0.50 DU per gross acre	130.16
Very Low Density Residential (VLDR)	102.22	As determined by Zoning	Maximum 2.00 DU per gross acre	204.44
Low Density Residential (LDR)	63.70	As determined by Zoning	1.00 to 7.5 DU per gross acre	477.75
<b>Total Acres</b>	<b>540<sup>1</sup></b>			<b>832</b>
1. Various portions of the Project area are included within larger General Plan designated areas, which extend beyond the Project area. Where General Plan amendments would be necessary, land use designation changes would occur for the entire encompassing General Plan designated area. Thus, while the General Plan designations total 540 acres, the actual Project area totals 487 acres. As shown in Table 5.1-3, below, the actual Project area acreage is reflective of the zoning designations.				
Source: Table I-1 of the Madera County General Plan Policy Document, <i>Summary of Development Standards</i> .				

-lane highway, which runs through the communities of Coarsegold and Oakhurst, has become a major commuting link between Eastern Madera County and the cities of Fresno and Madera. SR-49 is a two-lane conventional highway, which serves as a main route for local circulation within the Oakhurst/Ahwahnee area, and provides access to Yosemite National Park (for people traveling from the west) and the “Gold Country.” Refer to Section 5.3, *Traffic and Circulation*, for further discussion regarding SR- 41 and SR-49. No other highway, arterial, or collector is identified in the Project vicinity on Figure I-1.

Madera County currently includes improvement standards for facilities falling into four functional categories: freeways, arterials, collectors, and local roads. Each type of road is intended to serve a specific purpose. Figure 3-1 of the Background Report, *Madera County Roadway Improvement Standards*, illustrates the cross-sections for Madera County’s current improvement standards for arterials and collectors. Improvement standards for local roads are divided into five classifications; the standards vary depending on the minimum parcel size in the area and the number of parcels to be served by the roadway. Table 3-1 of the Background Report, *Improvement Standards for Local Roads*, indicates the local roadway standards and Figure 3-2 of the Background Report, *Local Road Improvement Standards*, illustrates typical cross sections for each classification of local roadway.



## **Public Facilities and Services**

This Chapter of the Background Report discusses public facilities, including water, sewage collection and treatment, drainage, and solid waste. Public services provided in the County are also discussed, including general government, law enforcement, fire protection, public utilities, schools, and libraries.

General Public Facilities and Services. General Plan Goal 3A notes the following with respect to public facilities and services:

*“To ensure the timely development of public facilities and to maintain an adequate level of service to meet the needs of existing and future development.”*

Refer also to Section 5.10, *Public Services and Utilities*, for further discussion of the various systems and their capacities.

Storm Drainage and Flood Control. FEMA has identified the 100-year floodplain in the County, which is that area that has a one percent chance of being flooded in any given year (refer to Figure 7-2 of the Background Report, *100-Year Floodplain*). As indicated in Figure 7-2, the Project site contains areas, which are subject to flooding.

General Plan Goal 3E notes the following with respect to storm drainage and flood control:

*“To provide efficient, cost-effective, and environmentally-sound storm drainage and flood control facilities.”*

Refer also to Section 5.9, *Hydrology and Drainage*, for further discussion regarding storm drainage and flood control.

## **Cultural and Recreational Resources**

Cultural Resources. Madera County has a variety of cultural, archaeological, and recreational resources. Figure 5-1 of the Background Report, *Sites of Potential Local Historic Significance*, illustrates the locations of sites of potential local historic significance. According to Figure 5-1, no sites are identified within the Project boundaries. General Plan Goal 4D notes the following with respect to cultural resources:

*“To identify, protect, and enhance Madera County’s important historical, archaeological, paleontological, and cultural sites and their contributing environment.”*

Refer also to Section 5.7, *Cultural Resources*, for further discussion regarding the potential for cultural resources to exist on the Project site.

Recreational Resources. Recreational facilities and opportunities in Madera County are inventoried and described according to the following categories:



- State Park Facilities;
- Federal Park Facilities;
- Lakes;
- Trails and Scenic Areas;
- Local Recreation Facilities; and
- Other Recreation Facilities.

No recreational resources are identified within the Project boundaries.

General Plan Goal 4A notes the following with respect to public recreation and parks:

*“To designate land for and promote the development and expansion of public and private recreational facilities to serve the needs of residents and visitors.”*

Refer also to Section 5.10, *Public Services and Utilities*, for further discussion regarding recreational facilities.

### **Agricultural and Natural Resources**

The Agricultural and Natural Resources Chapter presents background information on Madera County's natural and agricultural resources, including agriculture and soil resources, timber, mineral resources, water resources, biological resources, and air quality.

Agricultural Soils and Resources. Policy 5A2 of the General Plan states *“the County shall discourage the conversion of prime agricultural land to urban uses unless an immediate and clear need can be demonstrated that indicates a lack of land for non-agricultural uses.”* To this end, Figure 6-2 of the Background Report, *Prime Agricultural Soils*, illustrates the locations of the Class 1, 2 and 3 Soils, which exist in the County. As indicated in Figure 6-2, no Class 1, 2, or 3 Soils are identified within the Project boundaries. Refer also to Section 5.8, *Geology, Soils and Seismicity*, for further discussion of onsite soil characteristics.

Figure 6-3 of the Background Report, *Important Farmland*, illustrates the locations of the Important Farmlands, which exist in the County. As indicated in Figure 6-3, no Important Farmlands are identified within the Project boundaries. Further, it is noted that no agricultural activities are currently taking place on the Project site. Refer to the *Impacts - Zoning Ordinance* Section below for a discussion regarding agriculturally-zoned properties.

Timber. Timberlands are defined as land available for timber production and capable of growing at least 20 cubic feet of industrial-quality wood per acre per year. Almost all of the timberland in Madera County lies within the Sierra National Forest in the eastern county, which falls under the jurisdiction of the U.S. Forest Service. No timberlands are identified within the Project boundaries.

Open Space for the Preservation of National Resources. General Plan Goal 5H notes the following with respect to open space lands:



*“To preserve and enhance open space lands to maintain the natural resources of the County.”*

Mineral Resources. Figure 6-6 of the Background Report, *Mineral Resource Zones*, illustrates the locations of the mineral resource zones, which exist in the County. As indicated in Figure 6-6, no mineral resource zones are identified within the Project boundaries.

Water Resources. The most prominent hydrological features in the County are the San Joaquin, Fresno, and Chowchilla Rivers; large reservoirs including Eastman, Hensley, Millerton, and Bass Lakes and Mammoth Pool; and the Madera Canal. There are also numerous smaller creeks, streams, and lakes in the County. Although no prominent hydrological features traverse the Project site, two perennial creeks and several small ponds are located within the Project boundaries (refer to Exhibit 3-3, *Site Plan*).

General Plan Goal 3C notes the following with respect to water supply and delivery:

*“To ensure the availability of an adequate and safe water supply and the maintenance of high quality water in water bodies and aquifers used as sources of domestic and agricultural water supply.”*

Refer also to Section 5.10, *Public Services and Utilities*, and Section 5.9, *Drainage and Water Quality*, for further discussion of the various water resources.

Biological Resources. This Section of the Background Study describes the “common” biotic elements of Madera County and notes those, which may be considered particularly significant. The general locations of these habitats are illustrated on Figure 6-11 of the Background Study, *Madera County Biotic Habitats*. As indicated in Figure 6-11, the biotic habitat identified on the Project site is made up of Blue Oak-Gray Pine, Mixed Chapparral, Fresh Emergent Wetland, Lacustrine (small stockponds) and Valley Foothill Riparian (along small drainages). Figure 6-12 of the Background Report, *Habitats Where Federally Threatened And Endangered Species Could Occur*, illustrates the locations of habitats where federally threatened and endangered species could occur in the County. As indicated in Figure 6-12, no such habitat is identified within the Project boundaries. Figure 6-13 of the Background Report, *Habitats In Which Vernal Pools Could Occur in Madera County*, illustrates the potential locations of vernal pools in the County. As indicated in Figure 6-13, no such habitat is identified within the Project boundaries. It should be noted that, due to the scale of the maps provided, Figures 6-11, 6-12 and 6-13 represent a generalized description of the biological resources, which could occur on the Project site. Refer to Section 5.6, *Biological Resources*, for a more detailed discussion of potential onsite biological resources.

The General Plan identifies the following goals with respect to biological resources:

*Goal 5D, Wetland and Riparian Areas: “To protect wetland communities and related riparian areas throughout Madera County as valuable resources.”*





*Goal 5E, Fish and Wildlife Habitat: "To protect, restore, and enhance habitats that support fish and wildlife species so as to maintain populations at viable levels."*

*Goal 5F, Vegetation: "To preserve and protect the valuable vegetation resources of Madera County."*

Air Resources. Madera County, which includes the Project site, is located entirely within the San Joaquin Valley Air Basin. The General Plan identifies the following goals with respect to air resources:

*Goal 5J, Air Quality - General: "To protect and improve air quality in Madera County and the region."*

*Goal 5K, Air Quality – Transportation/Circulation: "To integrate air quality planning with the transportation planning process."*

Refer to Section 5.4, *Air Quality*, for further discussion of air resources.

## **Safety**

This Chapter of the Background Study inventories and assesses the various environmental hazards in Madera County, including seismic and geologic, flood, fire, aircraft crash, and hazardous waste hazards.

Seismic and Geologic Hazards. Potential seismic and geologic hazards, which occur in the County, include seismically-induced surface rupture, ground shaking, ground failure, tsunami, seiche, slope instability, and subsidence. There are no active or potentially active faults of major historic significance within Madera County.<sup>2</sup> Nonetheless, groundshaking is the primary seismic hazard in Madera County, because of the County's seismic setting and its record of historical activity.

Four landslide "risk categories" have been identified: "no risk," "low risk," "moderate risk" and "high risk." Figure 7-1 of the Background Report, *Landslide Risk*, illustrates the areas in the County, which are prone to landslides according to these risk categories. As indicated in Figure 7-1, the Project site is identified as containing areas of Low and Moderate Risk. Areas of low risk consist of "hillside and mountainous terrain of competent igneous and metamorphic rocks and sedimentary rocks with favorable bedding and composition."<sup>3</sup> Areas of moderate risk include dip slopes (natural slopes parallel to bedding in sedimentary rocks), complexly folded metamorphic rocks, and zones of fractured rock."<sup>4</sup>

General Plan Goal 6A notes the following with respect to seismic and geologic hazards:

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<sup>2</sup> General Plan Background Study, Page 7-3.

<sup>3</sup> Ibid., Page 7-7.

<sup>4</sup> Ibid.



*“To minimize risk of loss of life, injury, and property damage due to seismic and geological hazards.”*

Refer also to Section 5.8, *Geology, Soils and Seismicity*, for further discussion of the on-site potential for seismic and geologic hazards.

Flood Hazards. FEMA has identified the 100-year floodplain in the County, which is that area that has a one percent chance of being flooded in any given year (refer to Figure 7-2 of the Background Report, *100-Year Floodplain*). As indicated in Figure 7-2, the Project site contains areas, which are subject to flooding (refer also to the *Ahwahnee/Nipinnawasee Area Plan* Section below). Figure 7-3 of the Background Report, *Areas of Potential Flooding in the Event of Dam Failure*, illustrates the areas of potential flooding due to dam failure. As indicated in Figure 7-3, the Project site does not contain areas of potential flooding due to dam failure. Refer to Section 5.9, *Drainage and Water Quality*, for a more detailed discussion regarding the potential for flooding on the Project site.

Fire Hazards. Both urban and wildland fire hazards exist in Madera County, creating the potential for injury, loss of life, and property damage. Public protection classifications are designated by the Insurance Services Office (ISO). Ratings range from 1 to 10, with 1 being the best possible fire protection, and 10 being the worst. The Project area (Ahwahnee area) is classified with an ISO rating of 6. Areas can be re-rated since new development must meet county fire protection standards.

General Plan Goal 6C notes the following with respect to fire hazards:

*“To minimize the risk of loss of life, injury, and damage to property and watershed resources resulting from unwanted fires.”*

Refer to Section 5.10, *Public Services and Utilities*, for further discussion of potential fire hazards in the Project area.

Airport Safety. Safety issues associated with airports are primarily concerned with hazards posed to flight and hazards posed to those on the ground. There are two municipal airports in the County: Madera and Chowchilla Municipal Airports, and several private agricultural air strips. The Project site is not located within an Airport Land Use Compatibility Plan (ALUC) or in proximity to a private air strip.

Hazardous Waste. Because Madera County is a rural county, the risks associated with hazardous waste are lower than in more urban counties. Refer to Section 10.0, *Effects Found Not To Be Significant*, for a discussion regarding the potential for this hazard to occur on the Project site.

Emergency Response. Madera County’s Multi-Hazard Functional Plan serves as the County’s emergency response plan. The plan addresses responses to earthquakes, dam failure, flood, wildfire, war emergency, hazardous materials incident, aircraft crash, and volcanic eruption. Refer to Section 10.0, *Effects Found Not To Be Significant*, for a discussion regarding potential emergency response issues.



## AHWAHNEE/NIPPINAWASEE AREA PLAN

As previously noted, the Project site is located within the boundaries of the Ahwahnee/Nipinnawasee Area Plan. The Plan is intended to refine the goals and policies of the 1995 Madera County General Plan and provide more detailed guidance for future growth and development in the Ahwahnee/Nipinnawasee community of Eastern Madera County. The Area Plan utilizes both the 1980 Oakhurst-Ahwahnee Growth Management Plan objectives and the 1995 Madera County General Plan policies as a foundation or framework on which to build more specific community development proposals for future growth in this area. The goals and policies contained in the Area Plan supplement and elaborate upon, but do not supersede, the goals and policies of the *General Plan Policy Document*.

The Ahwahnee/Nipinnawasee Area Plan involves approximately 37 square miles, generally centered at the intersection of SR-49 and Road 600. As illustrated on Exhibit 3 of the Ahwahnee/Nipinnawasee Area Plan, *Planning Areas 1 and 2*, the Area Plan is divided into northern and southern portions, which comprise Planning Area 1 and Planning Area 2, respectively. The Project site extends into both Planning Areas 1 and 2. The Area Plan is further divided into two distinct areas in which urban and rural development should be concentrated to preserve remaining agriculture and open space. These are the “urban reserve” and “rural reserve.”<sup>5</sup> The Project site extends into both the urban and rural reserves.

### Environmental Setting

Watersheds. In this Area Plan, numerous tributary creeks extend north and east of the Fresno River including Peterson, Carter, and Miami Creeks. Two perennial creeks are located within the Project boundaries: Miami Creek and Carter Creek. Exhibit 4 of the Ahwahnee/Nipinnawasee Area Plan, *Flood Zones*, illustrates the boundaries of these flood hazard areas and the respective flood zones. As illustrated on Exhibit 4, portions of the Project site along these tributaries have been identified within Flood Zone A. Flood Zone A includes the 100-year flood hazard areas along these tributaries in which Base Flood Elevations have not been determined.

Geology and Soils. Area Plan soils are generally Class IV agricultural capability, suitable for grazing land, but not for intensively cultivated or irrigated crops. Refer to Section 5.8, *Geology, Soils and Seismicity*, for further discussion of the Project site’s geological and soil characteristics.

Most timber production occurs above the 3,000-foot elevation in the Sierra National Forest, above the elevations prevalent within the Area Plan’s boundaries. Also, mineral resources within the Area Plan are generally not of economic importance.

Vegetation and Wildlife. The Area Plan is part of the interior oak, pine, and mixed chaparral biotic habitat characteristic of the Sierra Nevada Foothills, with important

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<sup>5</sup> Within the rural reserve areas, which are generally proposed for or developed with residential parcels of 2.5 to 5.0 gross acres each, the land use designations are predominantly Real Estate Residential (RER) and Rural Residential (RR). The land use designations within the urban reserve areas include, but are not limited to Very Low Density Residential (VLDR) and Low Density Residential (LDR).



corridors of riparian habitat along creeks and rivers. Refer to Section 5.6, *Biological Resources*, for a more detailed discussion of potential onsite biological resources.

Climate and Air Quality. Refer to Section 5.4, *Air Quality*, for further discussion of air resources.

Circulation/Transportation. Roads in the Area Plan, as in the County, are classified as arterial, collector, local, or emergency. SR-49 is the arterial road in Ahwahnee; Road 600 is designated as a collector, while Road 628 functions as a collector. Other roads that function as collectors include Roads 601 and 621, Griffin Drive, and Harmony Lane.

Emergency access is an important issue for area residents, as many local streets are dead-end drives. No public transportation facilities or routes, or bicycle or pedestrian facilities, exist within the boundaries of the Area Plan. Refer to Section 5.3, *Traffic and Circulation*, for further discussion regarding traffic and circulation.

Noise. Noise studies conducted for the 1995 General Plan revealed that Ahwahnee/Nipinnawasee is a relatively quiet community. However, traffic noise on major streets (particularly SR-49), is becoming a potential land use compatibility problem for residential or other sensitive uses (i.e., schools). Refer to Section 5.5, *Noise*, for further discussion of the Project area's noise environment.

Public Facilities, Utilities, and Safety/Services. Refer to Section 5.10, *Public Services and Utilities*, for further discussion of the various systems and their capacities.

### **Area Plan Objectives**

As noted previously, the goals and policies contained in the Area Plan supplement and elaborate upon, but do not supersede, the goals and policies of the *General Plan Policy Document*. The Area Plan has identified the following objectives, which are relevant to the proposed Project:

- Objective 1: "Community in a park:" Develop a plan that reflects Ahwahnee's unique character by maintaining and enhancing a quality physical environment:
  - Maintain and enhance the natural environment, including farm/ranch land and open space.
  - Apply land use patterns and intensities in keeping with the community's character.
  - Maintain such rural character through growth management that applies and strictly adheres to this plan's land use designations.
- Objective 2: Provide a variety of housing opportunities for all residents in Ahwahnee.
- Objective 3: Achieve [a] safe circulation system that accommodates Ahwahnee's needs and enhances its resources.



- Objective 4: Ensure adequate and timely infrastructure improvements.

### **Area Plan Basic Concepts**

A basic concept of the Area Plan is that it “restricts new development to 1.0 DU/5 gross acres unless community water and sewerage systems are provided.”<sup>6</sup> The Plan also identifies various planning issues including the need for an adequate allocation of residential and non-residential land uses to meet the area’s future needs and the potential environmental constraints (i.e., steep slopes, water resources/quality, etc.).

### **Area Plan Land Use and Housing**

The existing Area Plan land uses designations on the Project site, according to Exhibits 7 and 8 of the Area Plan, *Ahwahnee/ Nippinnawasee Land Use Plan*, are illustrated on Exhibit 5.1-1, *Existing General Plan/Area Plan Designations*, and described as follows:

- Open Space (OS) – Refer to the *General Plan (Land Use)* discussion above.
- Rural Estate Residential (RER) – Provides for the following uses: single-family detached homes; secondary residential unit; limited agricultural; and compatible uses.
- Rural Residential (RR) – Provides for the following uses: single family detached homes; secondary residential unit; limited agricultural; public/quasi-public; and compatible uses. Subdivisions creating five or more parcels must provide community water and sewerage services.
- Very Low Density Residential (VLDR) – Provides for the following uses: single family detached and attached homes; secondary residential unit; bed and breakfast inns; limited agricultural; public/quasi-public; and compatible uses.
- Low Density Residential (LDR) – Provides for the same uses as VLDR. New developments using this designation must provide community water and sewerage services.

The Project site’s existing Area Plan land use designations are outlined in Table 5.1-2, *Summary of Existing Area Plan Designations*. As indicated in Table 5.1-2, the Project site’s residential development potential, based on the existing Area Plan designations, is approximately 545 dwelling units, exclusive of secondary residential units, caretaker/employee housing, or farmworker housing.

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<sup>6</sup> Ahwahnee/Nippinnawasee Area Plan, October 19, 1999, Page 30.



**Table 5.1-2  
Summary of Existing Area Plan Designations**

Area Plan Land Use Designation	Acres	Development Standards		Dwelling Unit Potential
		Minimum Lot Area	Range/ Maximum Dwelling Units	
Open Space (OS)	73.43	None	Maximum 1.0 DU per 20 gross acres	3.67
Rural Estate Residential (RER)	40.10	5 acres	Maximum 2.00 DU per parcel and secondary unit	16.04
Rural Residential (RR)	260.31	2.5 acres	Maximum 1.0 DU per 2.5 gross acres <sup>1</sup>	104.12
Very Low Density Residential (VLDR)	102.22	1.0 acre	Maximum 1.00 DU per gross acre <sup>2</sup>	102.22
Low Density Residential (LDR)	63.70	Not specified	1.00 to 5.00 DU per gross acre <sup>3</sup>	318.50
<b>Total Acres</b>	<b>540<sup>4</sup></b>			<b>545</b>
1. Although the County General Plan enables RR residential densities up to 0.5 dwelling units per 1.0 gross acre, the Area Plan proposes this more restrictive standard. 2. Although the County General Plan enables VLDR residential densities up to 2.0 dwelling units per 1.0 gross acres, the Area Plan proposes this more restrictive standard. 3. Although the County General Plan enables LDR residential densities up to 7.5 dwelling units per 1.0 gross acres, the Area Plan proposes this more restrictive standard. 4. Various portions of the Project area are included within larger Area Plan designated areas, which extend beyond the Project area. Where Area Plan amendments would be necessary, land use designation changes would occur for the entire encompassing Area Plan designated area. Thus, while the Area Plan designations total 540 acres, the actual Project area totals 487 acres. As shown in Table 5.1-3, below, the actual Project area acreage is reflective of the zoning designations.				
Source: <i>Ahwahnee/Nipinnawasee Area Plan</i> , October 19, 1999.				

### **Area Plan Circulation/Transportation**

Exhibit 10 of the Area Plan, *Circulation System*, illustrates the proposed circulation improvements. One major improvement illustrated on Exhibit 10 traverses the Project site: the Harmony Lane/Opah Drive connection with Pine River Road (or alternatively Leach Road) to Road 628.<sup>7</sup>

### **Area Plan Open Space: Agricultural and Natural Resource**

According to the Area Plan, identifies elements that contribute to Ahwahnee's character, including but not limited to open spaces.

### **MADERA COUNTY ZONING ORDINANCE**

Madera County is divided into zoning districts as illustrated on the official Zoning Maps. According to the Zoning Maps, the Project site is within the boundaries of

<sup>7</sup> Road 621 may also be linked with Pine River Road.



multiple Districts. The following is an outline of the Project site's existing zoning districts and a summary of the permitted uses:

- Residential, Rural, Single-Family District (2.5 Acres) (RRS-2.5) and Residential, Rural, Single-Family District (5.0 Acres) (RRS-5.0). Permitted uses in these districts include, but are not limited to, one single-family dwelling in permanent structure or one manufactured home on permanent foundation. Also, refer to Chapters 18.14, 18.16 and 18.18 of the Zoning Ordinance for a discussion of structure location and height regulations, lot dimension regulations, and off-street parking requirements.
- Open Space District (OS) Permitted Uses. Permitted uses include agriculture, golf course, riding academy/club, irrigation canals/reservoirs/control devices, and major transmission lines for gas/communications (also, refer to Chapter 18.50).
- Agricultural, Rural, Exclusive District (40 Acres) (ARE-40). Permitted uses include all kinds of agricultural uses, one single-family dwelling in permanent structure or one manufactured home on permanent foundation, dormitory/attached duplex farm labor housing unit, communication tower/wireless communications facility (also, refer to Chapter 18.58).

Existing zoning for the Project site is outlined in Table 5.1-3, *Summary of Existing Zoning*. Based on existing zoning, the residential development potential on the Project site is approximately 89 dwelling units (refer to Table 5.1-3).

**Table 5.1-3  
Summary of Existing Zoning Districts**

Zoning District	Project Site Acres	Development Standards		Dwelling Unit Potential
		Minimum Lot Area (gross)	Range/Maximum Dwelling Units	
Residential, Rural, Single-Family District (RRS-2.5)	170.86	2.5 acres	Maximum 1.00 DU Per parcel	68.34
Residential, Rural, Single-Family District (RRS-5.0)	3.5	5.0 acres	Maximum 1.00 DU Per parcel	0.70
Open Space District (OS)	68.06	5.0 acres	Maximum 1.00 DU per farm or ranch	13.61
Agricultural, Rural, Exclusive District (ARE-40).	244.67	36 acres	1.00 DU per farm/ranch	6.80
<b>Total Acres</b>	<b>487</b>			<b>89</b>
Source: Madera County Zoning Ordinance.				



## **MADERA COUNTY REGIONAL TRANSPORTATION PLAN**

The Madera County Transportation Commission (MCTC) is the Regional Transportation Planning Agency (RTPA) and the newly designated Metropolitan Planning Organization (MPO) for Madera County. The Madera metropolitan boundary covers all of Madera County. The Commission is responsible for the development and adoption of the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) as required by state law.

The Commission's role is to foster intergovernmental coordination; undertake comprehensive regional planning with an emphasis on transportation issues; provide a forum for citizen input into the planning process; and to provide technical services to its member agencies. In all these activities the Commission works to develop a consensus among its members with regards to multi-jurisdictional transportation issues.

The Madera County RTP was prepared and approved by the MCTC in June 1994. MCTC is now required to update the RTP to reflect the transportation system through Fiscal Year (FY) 2025/26. The RTP ensures that the County's transportation system and implementation policies/programs through FY 2025/26 will safely and efficiently accommodate growth envisioned in the Land Use Elements of the Cities of Chowchilla and Madera, and Madera County. Recent recommendations included in special studies related to transportation and circulation were also reviewed and incorporated into the RTP document, where appropriate. Refer to Section 5.3, *Transportation and Circulation*, for further discussion regarding the RTP.

## **SAN JOAQUIN VALLEY AIR BASIN ATTAINMENT PLAN**

The San Joaquin Valley Air Pollution Control District (SJVAPCD) governs air quality controls and standards throughout the eight-county San Joaquin Valley Air Basin (SJVAB). The SJVAPCD administers a set of rules and regulations that establish permit requirements and procedures for activities involving air emissions, and the *Attainment Plan* for air quality. Since the SFJAB is a "nonattainment area" for ozone and fine particulate matter (PM10), preparation of the *Attainment Plan* was required to describe efforts to be taken in attaining and maintaining national ambient air quality standards. The *Attainment Plan*, which was adopted in 1992, contains numerous emissions control and reduction strategies. Refer to Section 5.4, *Air Quality*, for further discussion regarding the Attainment Plan.

## **IMPACTS**

### **SIGNIFICANCE CRITERIA**

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist form which includes questions relating to land use and relevant planning. The issues presented in the Initial Study Checklist have been utilized as thresholds of significance in this Section. Accordingly, a Project may create a significant environmental impact if it causes one or more of the following to occur:





- Physically divides an established community (refer to Section 10.0, *Effects Found Not To Be Significant*);
- Conflicts 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 (refer to Impact Statements 5.1-1 through 5.1-3); and/or
- Conflicts with any applicable habitat conservation plan or natural community conservation (refer to Section 5.6, *Biological Resources*).

Generally, the intermixing of land uses may result in land use incompatibilities. Land use compatibility impacts associated with land development are a factor of quality of life issues, including, but not limited to traffic, noise, risk, and aesthetics (views/physical scale). While these may generally be perceived as subjective issues, the significance criteria detailed in each of the respective issue sections provides a basis for assessing land use compatibility impacts.

Potential impacts related to land use and consistency with related planning documents and policies have been identified. Mitigation measures are provided to avoid or substantially lessen significant impacts, if necessary.

## **MADERA COUNTY GENERAL PLAN**

5.1-1 *The proposed Project is consistent with the land use plan, policies and regulations set forth in the Madera County General Plan. Analysis has concluded that impacts would be less than significant following compliance with the recommended mitigation measures, regulatory framework and General Plan Amendment approval.*

The *General Plan Policy Document* includes goals, policies, standards, implementation programs, the *Land Use Diagram*, and the *Circulation Plan Diagram*, which constitute Madera County's formal policies for land use, development, and environmental quality. The proposed Project is considered consistent with the goals of the Madera County General Plan, as evaluated below.

### **Land Use**

As outlined in Table 5.1-1, *Summary of Existing General Plan Designations*, the Project site is currently designated Open Space (OS), Rural Estate Residential (RER), Rural Residential (RR), Very Low Density Residential (VLDR) and Low Density Residential (LDR). To facilitate development of the proposed Project, the Project proposes an amendment to the General Plan designations, which would involve decreasing the OS- and RR-designated areas and increasing the VLDR-, LDR-, and RER-designated areas (refer to Table 5.1-4, *Summary of Proposed General Plan Designations*). As indicated in Table 5.1-4, the Project site's residential development potential, based on the proposed General Plan designations, is approximately 1,137 dwelling units.



**Table 5.1-4  
Summary of Proposed General Plan Designations**

General Plan Land Use Designation	Acres	Development Standards		Dwelling Unit Potential
		Minimum Lot Area	Range/Maximum DUs per Gross Acre or per Parcel	
Open Space (OS)	0.00	None	Maximum 0.05 DU per gross acre	0.00
Rural Estate Residential (RER)	198.40	5 acres	Maximum 2.00 DU per parcel	79.36
Rural Residential (RR)	107.51	As determined by Zoning	Maximum 0.50 DU per gross acre	53.76
Very Low Density Residential (VLDR)	136.44	As determined by Zoning	Maximum 2.00 DU per gross acre	272.88
Low Density Residential (LDR)	97.41	As determined by Zoning	1.00 to 7.5 DU per gross acre	730.58
<b>Total Acres</b>	<b>540<sup>1</sup></b>			<b>1,137</b>
<p>1. Various portions of the Project area are included within larger General Plan designated areas, which extend beyond the Project area. Where General Plan amendments would be necessary, land use designation changes would occur for the entire encompassing General Plan designated area. Thus, while the General Plan designations total 540 acres, the actual Project area totals 487 acres. As shown in Table 5.1-3, the actual Project area acreage is reflective of the zoning designations.</p>				
<p>Source: Table I-1 of the Madera County General Plan Policy Document, <i>Summary of Development Standards</i>.</p>				

Comparatively, the proposed General Plan Amendment would increase the area's development potential by approximately 305 dwelling units over the development potential under existing designations (refer to Table 5.1-5, *Summary of Change in General Plan Designations*). The 315 dwelling units proposed by the Project would represent less than 40 percent of the 832-dwelling unit potential under existing General Plan designations. Additionally, development under the proposed General Plan designations would involve decreasing the OS-designated areas by approximately 73 acres and increasing the LDR-, RR-, and RER-designated areas. The discussion, which follows evaluates the proposed Project for consistency with the land use plan, policies and regulations set forth in the Madera County General Plan.

### **Transportation and Circulation**

As noted previously, Figure I-1 of the General Plan, *Circulation Plan Diagram*, identified two state highways, SR-41 and SR-49, in the Project vicinity (i.e., southeast of the Project site). No other highway, arterial, or collector is identified in the Project vicinity on Figure I-1.



**Table 5.1-5  
Summary of Change in General Plan Designations**

General Plan Land Use Designation	Existing		Proposed		Change	
	Acres	Dwelling Unit Potential	Acres	Dwelling Unit Potential	Acres	Dwelling Unit Potential
Open Space (OS)	73.43	3.67	0.00	0.00	-73.43	-3.67
Rural Estate Residential (RER)	40.10	16.04	198.40	79.36	158.30	63.32
Rural Residential (RR)	260.31	130.16	107.51	53.76	-152.80	-76.40
Very Low Density Residential (VLDR)	102.22	204.44	136.44	272.88	34.22	68.44
Low Density Residential (LDR)	63.70	477.75	97.41	730.58	33.71	252.82
<b>Total Acres</b>	<b>540<sup>1</sup></b>	<b>832</b>	<b>540</b>	<b>1,137</b>	<b>0</b>	<b>305</b>
<p>1. Various portions of the Project area are included within larger General Plan designated areas, which extend beyond the Project area. Where General Plan amendments would be necessary, land use designation would occur for the entire encompassing General Plan designated area. Thus, while the General Plan designations total 540 acres, the actual Project area totals 487 acres. As shown in Table 5.1-3, the actual Project area acreage is reflective of the zoning designations.</p>						

As discussed in Section 5.3, *Traffic and Circulation*, all study intersections are forecast to operate at an acceptable level of service (LOS) under forecast year 2025 with Project conditions, with the exception of the intersection of Harmony Lane/SR-49. The intersection of Harmony Lane/SR-49 (a.m. and p.m. peak hours) is forecast to operate at an unacceptable LOS (LOS E or worse), according to Madera County performance criteria for forecast year 2025 with Project conditions (refer to Table 5.3-6, *Forecast Year 2025 With Project Peak Hour LOS*). However, with implementation of the recommended improvement, the Harmony Lane/SR-49 intersection is forecast to operate at an acceptable LOS (LOS D or better) during the a.m. and p.m. peak hours for forecast improved year 2025 with project conditions (refer to Table 5.3-7, *Forecast Improved Year 2025 With Project Peak Hour LOS*). The proposed Project is deemed consistent with the General Plan in this regard, since all study intersections are forecast to operate at an acceptable level service following mitigation.

The Project proposes numerous roadways throughout the development, including the extension of Opah Drive. Design of the Project's proposed roadways would be subject to compliance with Madera County's Roadway Improvement Standards, which would ensure consistency with the General Plan in this regard.

**Public Facilities and Services**

General Public Facilities and Services. As discussed in Section 5.10, *Public Services and Utilities*, Project implementation would result in an increased demand for public services and utilities, as vacant land would be developed with residential uses. However, analysis has concluded that following compliance with Madera



County development standards and conditions of approval set forth through the development review process, payment of applicable development fees and taxes, and implementation of the recommended mitigation measures, impacts to public services and facilities would be reduced to less than significant levels. Additionally, compliance with Madera County development standards/conditions, payment of applicable development fees and taxes, and implementation of the recommended mitigation measures would ensure that the public facilities and services needed to support the proposed residential development would be provided. Thus, the Project is considered consistent with Goal 3A of the General Plan.

Storm Drainage and Flood Control. As discussed in Section 5.9, *Hydrology and Drainage*, potential impacts to planned drainage systems or as a result of flooding from increased flowrates would be reduced to less than significant levels by designing culverts and creek crossings per Madera County and/or FEMA design standards. No mitigation measures are necessary beyond compliance with all applicable Madera County and FEMA design requirements to reduce potentially significant impacts to planned drainage systems or as a result of flooding from increased flowrates to less than significant levels.

The Project site contains areas, which are subject to flooding (refer to Figure 7-2 of the Background Report, *100-Year Floodplain*). More specifically, the current Flood Insurance Rate Map (FIRM) shows the site is contained within a Zone “A” floodplain created by Carter and Miami Creeks. However, culverts and bridges within Miami and Carter Creeks would be designed and constructed to convey the 100-year flow, pursuant to all applicable Madera County and/or FEMA requirements. Additionally, the recommended mitigation includes that the Project Applicant obtain a Conditional Letter of Map Revision and Letter of Map Revision from FEMA for construction activities within the mapped floodplain. Implementation of the recommended mitigation measures would ensure that potentially significant flooding impacts are reduced to less than significant levels.

The project also includes a dam being constructed as part of a 210-acre foot water storage reservoir. The flow from the dam in the event of a failure may inundate the lots adjacent to the southeast portion of the existing golf course. However, designing the dam to conform to all applicable safety and design standards of Madera County and the California Department of Water Resources, Division of Safety of Dams (DSOD) would reduce potential flooding risks to less than significant levels.

Implementation of the proposed Project is considered consistent with General Plan Goal 3E, since the Project proposes drainage and flood control facilities, which would be subject to compliance with Madera County and/or FEMA requirements regarding storm drainage, in addition to all applicable safety and design standards of Madera County and the DSOD regarding the proposed dam.

### **Cultural and Recreational Resources**

Cultural Resources. No known paleontological resources or sites or unique geologic features are known to exist within the project area. Further, according to Figure 5-1 of the Background Report, *Sites of Potential Local Historic Significance*, no sites are identified within the Project boundaries. However, according to the Archaeological



Inventory Surveys, six archaeological/historical sites (C-MAD-623, -625, -626, -629, -634 and -635) are present on the Project site and considered potentially significant under CEQA's Criterion D (refer to Section 5.7, *Cultural Resources*). Thus, implementation of the proposed Project has the potential to cause a substantial adverse change in the significance of a historical resource as identified in CEQA Guidelines Section 15604.5. However, analysis has concluded that implementation of the recommended mitigation measures would reduce impacts to identified historic/archeological resources to less than significant levels. Therefore, the proposed Project is considered consistent with General Plan Goal 4D regarding cultural resources.

**Recreational Resources.** Project implementation would increase the use of existing local and regional parks and other recreational facilities thereby creating the potential for physical affects at each facility. Further, the population increase associated with implementation of the proposed Project would create a demand for approximately 2.9 acres of parkland. Analysis has concluded that implementation of the recommended mitigation involving dedication of land and/or payment of park dedication fees, would reduce impacts to less than significant levels. Therefore, the proposed Project is considered consistent with General Plan Goal 4A regarding public recreation and parks.

### **Agricultural and Natural Resources**

**Agricultural Soils and Resources.** No Class 1, 2, or 3 Soils or Important Farmlands are identified within the Project boundaries (refer to Figures 6-2 and 6-3 of the Background Report). Therefore, the proposed Project is considered consistent with Policy 5A2 of the General Plan, since it would not convert prime agricultural land to urban uses. Refer to the *Impacts - Zoning Ordinance* Section below for a discussion regarding agriculturally-zoned properties.

**Open Space for the Preservation of National Resources.** Preserving and enhancing open space lands is an identified goal of the General Plan (Goal 5H). The proposed Project is considered consistent with the General Plan in this regard based on the following factors:

- Although the proposed General Plan Amendment would increase the area's development potential by approximately 305 dwelling units over the development potential under existing designations, the Project proposes 315 dwelling units, which represents less than 40 percent of the 832-dwelling unit potential under existing General Plan designations and less than 30 percent of the 1,137-dwelling unit potential under proposed General Plan designations (refer to Table 5.1-5, *Summary of Change in General Plan Designations*).
- The Project would support the General Plan's goal of preserving and enhancing open space lands, based on the Project's proposed densities and design features. As discussed previously, the Project would result in the conversion of 73 acres of OS-designated land to LDR-, RR-, and RER-designated land. Of the 73 acres of existing OS-designated land, the majority (approximately 71 percent or 52 acres) would be converted to classifications



considered rural in nature: RR and RER classifications, with maximum allowable densities of 0.50 DU per acre and 2.00 DU per 5.0 acres, respectively. Accordingly, the majority of the converted OS-designated land would involve low-density residential uses, which would support the General Plan's goal of preserving the rural character of the area. Further, while the remainder (approximately 21 acres) of the existing OS-designated land would be converted to LDR, a classification with a higher maximum allowable density, the Project's design features locating these lots around the existing golf course. Such a design would lessen the perceived density of the residential uses, thereby, supporting the rural character of the area.

Water Resources. No prominent hydrological features traverse the Project site, although two perennial creeks (Miami and Carter Creeks) and several small ponds are located within the Project boundaries.

The main source for the Project would be Miami Creek surface water. Local groundwater is proposed to provide supplemental water supply, as necessary. The proposed Project includes the installation of water treatment plant to provide a potable water supply for future residents. Project implementation would increase the demand for water beyond existing conditions, since new residential uses would be developed.

Analysis has concluded that there would be adequate water supply from Miami Creek, groundwater (wells) and reclaimed water from the wastewater treatment plant to supply water to Maintenance District No. 46 at buildout. However, approximately 300 acre-feet of operational water storage would be required to meet the water demands of the Maintenance District No. 46 during consecutive drought years. The Project proposes a water reservoir with a 210-acre foot storage capacity. The proposed water reservoir along with the existing ponds (93 acre-feet) would provide approximately 309 acre-feet of water storage, which would satisfy the necessary water storage required under consecutive drought year conditions. Implementation of the recommended mitigation measures involving the provision of additional water storage and monitoring water supply and demand conditions would reduce water supply impacts to a less than significant level. Therefore, the proposed Project is considered consistent with General Plan Goal 3C, since an adequate and safe water supply would be available to serve the proposed development.

Biological Resources. No habitat where Federally threatened and endangered species, or vernal pools could occur is identified within the Project boundaries, according to Figures 6-12 and 6-13 of the Background Study, respectively. However, a biological assessment of the Project site was conducted, which identified various habitat types occurring on the Project site, including foothill woodland, open water/impoundment, riverine watercourses (ephemeral and perennial drainages), riverine seasonal wetland and valley foothill riparian, with open ponds associated with the golf course. Development of the proposed Project would impact up to 500 acres of foothill woodland vegetation that is common throughout the Sierra Nevada foothills. Analysis has concluded that with implementation of the specified mitigation, involving preparation of a tree survey, and landmark tree mitigation and monitoring plan, impacts to foothill woodland vegetation would be less than significant.



Development of the proposed Project could result in removal of habitat for several special-status plant and wildlife species potentially occurring on the Project site. (refer to Section 5.6, *Biological Resources*). Analysis has concluded that with implementation of the specified mitigation, which requires conducting focused surveys and habitat assessments, preparation of conservation, management and mitigation plans, limiting construction activities, and consultation with United States Fish and Wildlife Service (USFWS)/California Department of Fish and Game (CDFG) (if required), impacts to special-status plant and wildlife species would be less than significant.

Development of the proposed Project could result in removal and disturbance of valley foothill riparian habitat. Analysis has concluded that with implementation of the specified mitigation, which requires consultation with CDFG (Section 1600, Streambed Alteration Agreement), providing widened buffers and protective fencing, and vegetation replacement, impacts riparian habitat would be less than significant.

The Project site supports approximately 25.47 acres of Jurisdictional Waters of the U.S., which includes perennial creeks, ephemeral drainages, and riverine seasonal wetlands. As illustrated on Exhibit 5.6-2, *Habitat Impacts*, ephemeral drainage and seasonal wetland riverine areas could potentially be impacted by the proposed Project. Analysis has concluded that implementation of the recommended mitigation measures, which involve consultation with Army Corps of Engineers (ACOE) (Sections 401 and 404), replacement/rehabilitation, and consultation with CDFG (Section 1600), would reduce potentially significant impacts to jurisdictional waters to less than significant levels.

The proposed Project is considered consistent with General Plan Goals 5D, 5E, and 5F, since the mitigation proposed would reduce impacts to wetland and riparian areas, fish and wildlife habitats, and vegetation, to less than significant levels.

Air Resources. As illustrated in Table 5.4-5, *Projected Construction Emissions*, construction of the proposed Project would result in an exceedance of the SJVAPCD thresholds for NO<sub>x</sub> for each phase grouping of development. As feasible mitigation is not available to control exhaust emissions for a Project of this scale, a significant unavoidable impact would result.

As shown in Table 5.4-9, *Long Term Project Emissions*, the mobile source and area emissions associated with the proposed Project would generate pollutant emissions below SJVAPCD thresholds, provided the residential units install EPA-certified fireplaces. Thus, a less than significant impact would result in this regard with mitigation incorporated.

As discussed previously, Project implementation would result in a significant unavoidable impact with respect to NO<sub>x</sub> emissions during the construction phase. Notwithstanding, the proposed Project is considered consistent with General Plan Goals 5J and 5K, since the significant unavoidable NO<sub>x</sub> emissions are a temporary condition, ceasing upon completion of the grading/construction phase. Further, the Project's long-term mobile source and area emissions would not exceed SJVAPCD thresholds.



## **Safety**

Seismic and Geologic Hazards. As discussed previously, groundshaking is the primary seismic hazard in Madera County, because of the County's seismic setting and its record of historical activity. As a result, development of the proposed Project could increase the number of people/structures exposed to effects associated with seismically induced ground shaking. Analysis has concluded that compliance with the Madera County Development Code, Uniform Building Code and DSOD dam design standards would ensure that impacts are less than significant.

The Project site is identified as containing areas of Low and Moderate Risk for landsliding (refer to Figure 7-1 of the Background Report, *Landslide Risk*). Therefore, development of the proposed Project could result in slope failures during the construction of the proposed residential uses dams/reservoir. Analysis has concluded that with implementation of the recommended mitigation measures, and compliance with the Madera County Development Code, Uniform Building Code, and/or DSOD design standards, impacts regarding landslide risk would be reduced to less than significant levels.

The proposed Project is considered consistent with General Plan Goal 6A, since the recommended mitigation measures associated with potential seismic and geological hazards would serve to minimize the risk of loss of life, injury, and property damage.

Flood Hazards. Refer to the *Storm Drainage and Flood Control* discussion above.

Fire Hazards. The Madera County Fire Department (MCFD) acknowledges that Project implementation would expose the proposed residential uses to potential wildland fire hazards, since the Project area is located in relatively undisturbed foothill woodland vegetation on varying topography. To maintain consistency with the fire protection standards set forth in the County's General Plan and reduce potential wildland fire hazards/impacts to less than significant levels, the proposed Project would be required to comply with established development standards, pay all applicable development fees and taxes, and implement the recommended mitigation measures (per the direction of the MCFD). The proposed Project is considered consistent with General Plan Goal 6C, since the recommended mitigation measures associated with potential fire hazards would serve to minimize the risk of loss of life, injury, and damage to property and watershed resources resulting from unwanted fires.

Overall, analysis has concluded that the proposed Project would be considered consistent with the land use plan, goals, and policies of the Madera County General Plan following compliance with the recommended mitigation measures, regulatory framework and General Plan Amendment approval.

It should be noted that if the Project site plan were to substantially change (i.e., a proposal for a greater number of dwelling units), the modifications would be subject to further review pursuant to the CEQA Guidelines, required by Madera County.





## **AHWAHNEE/NIPINNAWASEE AREA PLAN**

- 5.1-2 *The proposed Project is consistent with the land use plan, policies and regulations set forth in the Ahwahnee/Nipinnawasee Area Plan. Analysis has concluded that impacts would be less than significant following compliance with the recommended mitigation measures and regulatory framework, and General Plan Amendment approval.*

### **Area Plan Objectives**

As discussed previously, the Area Plan has identified four objectives, which are relevant to the proposed Project. The proposed Project is considered consistent with the Area Plan's objectives based on the following findings:

- Objective 1. Although the proposed Area Plan Amendment would increase the area's development potential by approximately 201 dwelling units over the development potential under existing designations, the Project proposes only 315 dwelling units, representing less than 60% of the 545-dwelling unit potential under existing Area Plan designations and less than 50% of the 746-dwelling unit potential under proposed Area Plan designations (refer to Table 5.1-5, *Summary of Change in General Plan Designations*).

The land use patterns and intensities proposed by the Project would be in furtherance of keeping with the community's rural character. As discussed previously, the majority (approximately 71 percent or 53 acres) of the 73 acres of existing OS-designated land, would be converted to classifications considered rural in nature: RR and RER classifications, with maximum allowable densities of 1.00 DU per 2.5 acres and 2.00 DU per 5.0 acres, respectively. Accordingly, the majority of the converted OS-designated land would involve low-density residential uses, which would support the General Plan's goal of preserving the rural character of the area. Additionally, the 53 acres would be considered "rural reserve" areas, since the Area Plan has identified the RER and RR classifications suitable for such areas.

Further, while the remainder (approximately 21 acres) of the existing OS-designated land would be converted to LDR, a classification with a higher maximum allowable density, the Project's design features locating these lots around the existing golf course. Such a design would lessen the perceived density of the residential uses, thereby, supporting the community's rural character.

- Objective 2. As described in Section 3.3, *Project Characteristics*, various development types, including Low, Very Low, Rural and Rural Estate Residential uses, are proposed in the planned housing mix. Therefore, the proposed Project would provide a variety of housing opportunities .
- Objective 3. As discussed in Section 5.3, *Traffic and Circulation*, with implementation of the recommended mitigation, all study intersections are forecast to operate at an acceptable LOS (LOS D or better) during the a.m. and p.m. peak hours for forecast improved year 2025 with project conditions



(refer to Table 5.3-7, *Forecast Improved Year 2025 With Project Peak Hour LOS*). Further, design and construction of the Project's proposed roadways would be subject to compliance with Madera County's Roadway Improvement Standards.

- **Objective 4.** Analysis has concluded that following compliance with Madera County development standards/conditions, payment of applicable development fees and taxes, and implementation of the recommended mitigation measures, adequate and timely infrastructure improvements would be provided (refer to the *General Plan - Impact* section above and Section 5.10, *Public Services and Utilities*).

The proposed Project is considered consistent with the concepts and policies of the Ahwahnee/Nipinnawasee Area Plan, as evaluated below.

### **Area Plan Basic Concepts**

A basic concept of the Area Plan is that it restricts new development to 1.0 dwelling units per 5.0 gross acres, unless community water and sewerage systems are provided. The proposed Project would result in an overall average density of 1.5 dwelling units per 1.0 gross acres, exceeding the Area Plan's target density. However, as discussed in Section 5.10, *Public Services and Utilities*, community water and sewerage systems would be provided to serve the needs of the proposed Project.

### **Area Plan Land Use and Housing**

The Project site's existing Area Plan land use designations are outlined in Table 5.1-2, *Summary of Existing Area Plan Designations*. To facilitate development of the proposed Project, the Project proposes an amendment to the Area Plan designations, as outlined in Table 5.1-6, *Summary of Proposed Area Plan Designations*. As indicated in Table 5.1-6, the Project site's residential development potential, based on the proposed Area Plan designations, is approximately 746 dwelling units. Comparatively, the proposed Area Plan Amendment would increase the area's development potential by approximately 202 dwelling units over the development potential under existing designations (refer to Table 5.1-7, *Summary of Change in Area Plan Designations*). However, as the Project proposes development of 315 dwelling units, Project implementation would result in a decrease of 230 dwelling units, as compared to the 545-dwelling unit potential under existing Area Plan designations. Therefore, the proposed Project is deemed consistent with the Madera County Area Plan in this regard. If the Project site plan were to substantially change (i.e., increase in dwelling units), the future proposal would be subject to compliance with the CEQA Guidelines, as deemed necessary by Madera County.



**Table 5.1-6  
Summary of Proposed Area Plan Designations**

Area Plan Land Use Designation	Acres	Development Standards		Dwelling Unit Potential
		Minimum Lot Area	Range/Maximum Dwelling Units	
Open Space (OS)	73.43	None	Maximum 1.0 DU per 20 gross acres	0.00
Rural Estate Residential (RER)	40.10	5 acres	Maximum 2.00 DU per parcel and secondary unit	79.36
Rural Residential (RR)	260.31	2.5 acres	Maximum 1.0 DU per 2.5 gross acres <sup>1</sup>	43.00
Very Low Density Residential (VLDR)	102.22	1.0 acre	Maximum 1.00 DU per gross acre <sup>2</sup>	136.44
Low Density Residential (LDR)	63.70	not specified	1.00 to 5.00 DU per gross acre <sup>3</sup>	487.05
<b>Total Acres</b>	<b>540<sup>4</sup></b>			<b>746</b>

1. Although the County General Plan enables RR residential densities up to 0.5 dwelling units per 1.0 gross acres, the Area Plan proposes this more restrictive standard.  
 2. Although the County General Plan enables VLDR residential densities up to 2.0 dwelling units per 1.0 gross acres, the Area Plan proposes this more restrictive standard.  
 3. Although the County General Plan enables LDR residential densities up to 7.5 dwelling units per 1.0 gross acres, the Area Plan proposes this more restrictive standard.  
 4. Various portions of the Project area are included within larger Area Plan designated areas, which extend beyond the Project area. Where Area Plan amendments would be necessary, land use designation changes would occur for the entire encompassing Area Plan designated area. Thus, while the Area Plan designations total 540 acres, the actual Project area totals 487 acres. As shown in Table 5.1-3, below, the actual Project area acreage is reflective of the zoning designations.

Source: *Ahwahnee/Nipinnawasee Area Plan*, October 19, 1999.

**Table 5.1-7  
Summary of Change in Area Plan Designations**

General Plan Land Use Designation	Existing		Proposed		Change	
	Acres	Dwelling Unit Potential	Acres	Dwelling Unit Potential	Acres	Dwelling Unit Potential
Open Space (OS)	73.43	3.67	0.00	0.00	-73.43	-3.67
Rural Estate Residential (RER)	40.10	16.04	198.40	79.36	158.30	63.32
Rural Residential (RR)	260.31	104.12	107.51	43.00	-152.80	-61.12
Very Low Density Residential (VLDR)	102.22	102.22	136.44	136.44	34.22	34.22
Low Density Residential (LDR)	63.70	318.50	97.41	487.05	33.71	168.55
<b>Total Acres</b>	<b>540<sup>1</sup></b>	<b>545</b>	<b>540</b>	<b>746</b>	<b>0</b>	<b>202</b>

1. Various portions of the Project area are included within larger General Plan designated areas, which extend beyond the Project area. Where General Plan amendments would be necessary, land use designation changes would occur for the entire encompassing General Plan designated area. Thus, while the General Plan designations total 540 acres, the actual Project area totals 487 acres. As shown in Table 5.1-3, the actual Project area acreage is reflective of the zoning designations.



### **Area Plan Circulation/Transportation**

One major improvement illustrated on Exhibit 10 of the Area Plan, *Circulation System*, traverses the Project site: the Harmony Lane/Opah Drive connection with Pine River Road (or alternatively Leach Road) to Road 628.<sup>8</sup> In compliance with this Area Plan circulation/transportation proposal, the Project proposes various improvements to Opah Drive. More specifically, in the southeastern portion of the Project area, Opah Drive would be extended to accommodate the residential lots in Phase I of the proposed project. Also, Opah Drive would be extended to connect with Pine River Road, which is offered for dedication to the County, terminating just west of the proposed project area. The connection to Pine River Road would require the dedication of approximately 0.54 acres of right of way from a non-related property owner. Generally, roadways built in phases serving lots of less than one (1) acre would be built to a Class V standard, while the remaining roads would be built to a Class III standard (refer to Section 5.3, *Traffic and Circulation*). The roadway system provides three points of access to the project site. Harmony Lane and Opah Drive provide the primary access locations from SR-49. In addition, County Road 621 provides access from SR-49 further to the west of the primary access location. A third point of access is provided from County Road 628 and Pine River Road.

### **Area Plan Open Space**

Refer to the *Objective 1* discussion above.

Analysis has concluded that the proposed Project is consistent with the land use plan, goals, and policies of the Ahwahnee/Nipinnawasee Area Plan following compliance with the recommended mitigation measures and regulatory framework, as described above.

### **MADERA COUNTY ZONING ORDINANCE**

5.1-3 *The proposed Project is consistent with the land use plan, policies and regulations of the Madera County Zoning Ordinance. Analysis has concluded that a less than significant impact would occur with approval of a Zone Change.*

As previously discussed, the Project site is within the boundaries of multiple zoning districts: Residential, Rural, Single-Family District (2.5 Acres) (RRS-2.5), Residential, Rural, Single-Family District (5.0 Acres) (RRS-5.0), Open Space District (OS), and Agricultural, Rural, Exclusive District (40 Acres) (ARE-40). To facilitate development of the proposed Project, the Project proposes a zone change, which would involve decreasing the RRS-2.5-, OS-, and ARE-40-zoned areas, and increasing the RRS-5.0-zoned areas. Additionally, the proposed zone change would involve the addition of RUS-zoned (Residential, Urban, Single-Family District) areas. Permitted uses in the RUS district include, but are not limited to, one single-family dwelling in permanent structure or one manufactured home on permanent foundation.

<sup>8</sup> Road 621 may also be linked with Pine River Road.



Table 5.1-8, *Summary of Proposed Zoning Districts*, outlines the proposed zoning districts. As indicated in Table 5.1-8, the Project site's residential development potential, based on the proposed zoning districts, is approximately 621 dwelling units. Comparatively, the proposed zoning districts would increase the area's development potential by approximately 532 dwelling units over the development potential under existing zoning districts (refer to Table 5.1-9, *Summary of Change in Zoning Districts*). Additionally, since the Project proposes 315 dwelling units, Project implementation would result in an increase of 226 dwelling units, as compared to the 89-dwelling unit potential under existing zoning districts. Based on the proposed zoning districts, the Project would provide no open space acreage, amounting to 68 fewer OS-designated acres, as compared to existing zoning districts (refer to Table 5.1-9, *Summary of Change in Zoning Districts*).

**Table 5.1-8  
Summary of Proposed Zoning Districts**

Zoning District	Project Site Acres	Development Standards		Dwelling Unit Potential
		Minimum Lot Area (gross)	Range/Maximum Dwelling Units	
Residential, Rural, Single-Family District (RRS-1.0)	44.47	1.0 acres	Maximum 1.00 DU Per parcel	144.47
Residential, Rural, Single-Family District (RRS-2.5)	109.58	2.5 acres	Maximum 1.00 DU Per parcel	43.83
Residential, Rural, Single-Family District (RRS-5.0)	192.32	5.0 acres	Maximum 1.00 DU Per parcel	38.46
Open Space District (OS)	0.00	5.0 acres	Maximum 1.00 DU per farm or ranch	0.00
Agricultural, Rural, Exclusive District (ARE-40)	0.00	36 acres	1.00 DU per farm/ranch	0.00
Residential, Urban, Single-Family District (RUS)	40.72	4,500 square feet	Maximum 1.00 DU Per parcel	394.19
<b>Total Acres</b>	<b>487</b>			<b>621</b>

Source: Madera County Zoning Ordinance.

**Table 5.1-9  
Summary of Change in Zoning Districts**

Zoning District	Existing		Proposed		Change	
	Acres	Dwelling Unit Potential	Acres	Dwelling Unit Potential	Acres	Dwelling Unit Potential
Residential, Rural, Single-Family District (RRS-2.5)	170.86	68.34	109.58	43.83	-61.28	-24.51
Residential, Rural, Single-Family District (RRS-5.0)	3.5	0.70	192.32	38.46	188.82	37.76
Open Space District (OS)	68.06	13.61	0.00	0.00	-68.06	-13.61
Agricultural, Rural, Exclusive District (ARE-40)	244.67	6.80	0.00	0.00	-244.67	-6.80
Residential, Urban, Single-Family District (RUS)	0.00	0.00	40.72	394.19	40.72	394.19
<b>Total Acres</b>	<b>487</b>	<b>89</b>	<b>540</b>	<b>621</b>	<b>0</b>	<b>532</b>



As previously noted, approximately 245 acres within the Project boundaries are currently zoned Agricultural, Rural, Exclusive District (ARE-40). To facilitate the proposed residential development, a zone change from ARE-40 to RRS 1.0 and RRS 5.0 would be required for these 245 acres. With approval of the proposed Zone Change, development of the proposed residential uses on RRS 1.0- and RRS 5.0-zoned property, as proposed, would not conflict with zoning for agricultural use. Further, as no agricultural activities are currently taking place on the Project site and as no Class 1, 2, or 3 Soils or Important Farmlands are identified within the Project boundaries (refer to Figures 6-2 and 6-3 of the Background Report), a less than significant impact would occur in this regard.

The proposed Project would be subject to compliance with the regulations and requirements for each of the respective districts relative to the following, as outlined in the Madera County Zoning Ordinance (Title 18 of the Municipal Code):

- Land Use Regulations;
- Structure Location Regulations;
- Structure Height Regulations;
- Lot Dimension Regulations; and
- Off-Street Parking Area Requirements.

Overall, the proposed residential development would be subject to review through the Development Permit application process and shall be analyzed by the County to ensure that each application is consistent with the pertinent residential development regulations and requirements. Although, a Zone Change would be required to facilitate the proposed development, compliance with the mandatory site development regulations and requirements would ensure that future residential development would not conflict with the land use plan, policies and regulations of the Madera County Zoning Ordinance. Further, as discussed previously, the proposed Project is considered consistent with the General Plan and Area Plan, since the proposed residential development would not exceed the area's development potential, both under existing and amended conditions. Therefore, with approval of the proposed Zone Change, the Project would be considered consistent with the Zoning Ordinance and a less than significant impact would occur in this regard.

## **CUMULATIVE IMPACTS**

- 5.1-4 *Buildout of the proposed Project, together with development anticipated by the Madera County General Plan, would increase the intensity of land uses in the area. Analysis has concluded that cumulative impacts would be less than significant.*

Chapter 3, *Land Use, Housing and Population*, of the Madera County General Plan EIR addresses land use impacts as a result of development anticipated by the Madera County General Plan in the year 2010. According to the Madera County General Plan EIR, there are no feasible mitigation measures beyond the polices and programs included in the Policy Document that would minimize the adverse impact resulting from the alteration of planned land use in the "new growth areas." The new growth areas in the General Plan EIR are identified as areas without adopted area plans, where such an area plan will be required to determine the appropriate mix of



land uses, circulation system, infrastructure, and institutional framework necessary to support the level of development anticipated. Since the proposed Project is located within the boundaries of the Ahwahnee/Nipinnawasee Area Plan, the significant and unavoidable impacts identified for new growth areas in the General Plan EIR are not applicable to the proposed Project. Furthermore, since the proposed Project is located within the Ahwahnee/Nipinnawasee Area Plan, goals and policies have been developed to provide detailed guidance for future growth and development in the Ahwahnee/Nipinnawasee community.

As described throughout this Section, all land use impacts have been identified as less than significant following compliance with the recommended mitigation measures and regulatory framework, and the policies and standards of the Madera County General Plan and Zoning Ordinance, and the Ahwahnee/Nipinnawasee Area Plan. The proposed Project would be compatible with surrounding land uses and would be consistent with the planned residential uses for the project area. Additionally, the proposed residential densities would not exceed the development intensity anticipated in the Ahwahnee/Nipinnawasee Area Plan. Therefore, the project would not contribute to any significant cumulative effects to land use. Thus, the project's contribution to cumulative impacts associated with the anticipated development identified in the Madera County General Plan is concluded to be a less than significant impact.

## **MITIGATION MEASURES**

This section directly corresponds to the identified Impact Statements in the impacts subsection.

### **MADERA COUNTY GENERAL PLAN**

5.1-1 Refer to Mitigation Measures outlined in Sections 5.2 through 5.10 of this EIR.

### **AHWAHNEE/NIPINNAWASEE AREA PLAN**

5.1-2 Refer to Mitigation Measures outlined in Sections 5.2 through 5.10 of this EIR.

### **MADERA COUNTY ZONING ORDINANCE**

5.1-3 No mitigation measures are recommended.

### **CUMULATIVE IMPACTS**

5.1-4 No mitigation measures are recommended.



## **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

No unavoidable significant impacts related to land use and relevant planning have been identified following compliance with the recommended mitigation measures and regulatory framework, and the policies and standards of the Madera County General Plan and Zoning Ordinance, and the Ahwahnee/Nipinnawasee Area Plan.