



RESOURCE MANAGEMENT AGENCY

Community and Economic Development
Department of Planning and Building

Norman L. Allinder, AICP
Director

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- mc_planning@madera-county.com

PLANNING COMMISSION DATE: June 3, 2014

AGENDA ITEM: #1

VA	#2014-003	Variance to allow for increased height for hotels
VA	#2014-004	
VA	#2014-005	
APN	#064-041-033	Applicant/Owner: Pramod Patel/John Hovannisian
	#064-042-009	
	#064-042-008	
CEQA	MND #2014-11	Mitigated Negative Declaration

REQUEST:

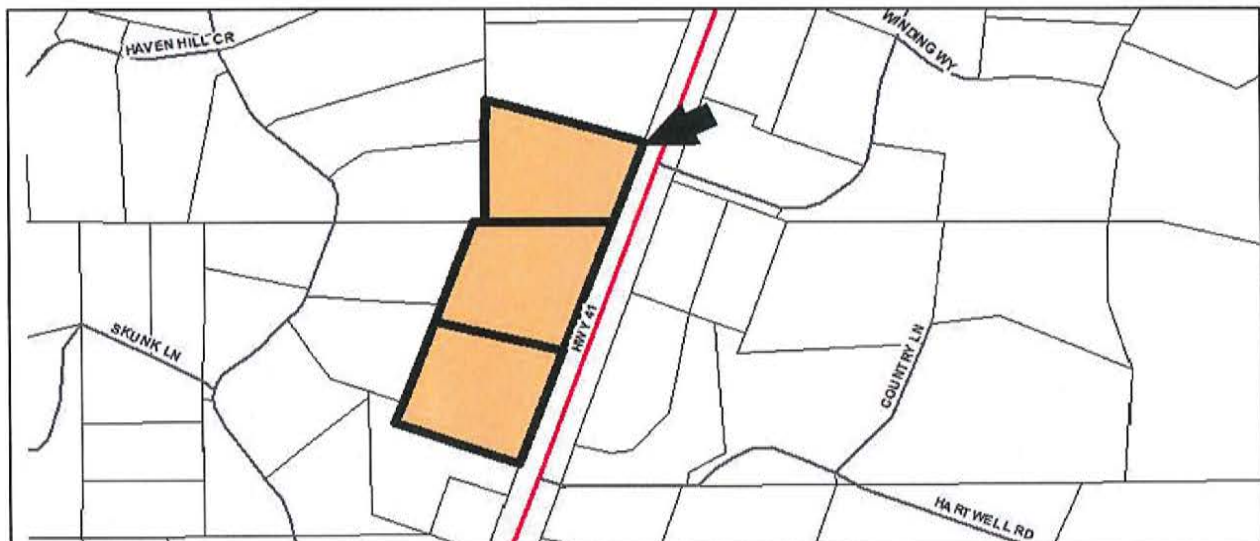
The project is a request for three Height Variances for hotels to allow for a 55'-0" building elevation where a 35'-0" building elevation is allowed by ordinance.

LOCATION:

The project is located on the west side of Highway 41, between its intersections with Hartwell Road and Winding Way (no situs), Oakhurst.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (MND #2014-11) has been prepared and is subject to approval by the Planning Commission.



RECOMMENDATION: Approval of VA #2014-003-005, Mitigated Negative Declaration #2014-011 and Mitigation Monitoring and Reporting Program subject to conditions.

GENERAL PLAN DESIGNATIONS (Exhibit A):

SITE: CC (Community Commercial) Designation

SURROUNDING: CC (Community Commercial) and RR (Rural Residential) Designations

ZONING (EXHIBIT B)

SITE: CRM (Commercial Rural Median) District

SURROUNDING: CRM (Commercial Rural Median), RMS (Residential Mountain Single Family), and RRM (Residential Rural Multiple Family) Districts

LAND USE:

SITE: Commercial (Hotels)

SURROUNDING: Commercial, Residential

SIZE OF PROPERTY (EXHIBIT C): 6.06 Acres (2.08 acres, 2.01 Acres, and 1.97 acres)

ACCESS (EXHIBIT C):

The hotels will have access directly onto Highway 41.

WILLIAMSON ACT:

The property involved in this proposal is not subject to a Williamson Act (Agricultural Preserve) contract.

BACKGROUND AND PRIOR ACTIONS:

A Lot Line Adjustment application was submitted in 2013 (LLA #2013-030) to alter the existing property lines to allow for the proposed site plans.

PROJECT DESCRIPTION:

The application is for three variances to allow for increased height of three hotels to 55'-0" where a 35'-0" maximum height is allowed per the zoning ordinance.

ORDINANCES/POLICIES:

Madera County County Code 18.34 governs allowed uses within the CRM (Commercial Rural Median) district.

Madera County County Code 18.106 governs the requirements for processing and reviewing variances.

Madera County General Plan Policy Document (page 10) outlines the allowable uses within the CC (Community Commercial) designation.

ANALYSIS:

The application is for variances for three (3) separate hotels adjacent to one another to allow for increased height of 55'-0" where a 35'-0" maximum height is allowed per the zoning ordinance.

The proposal is to permit an architectural extension of the building elevation to incorporate a more cohesive overall design and permit the necessary commercial signage for advertisement purposes as shown on the attached elevations (Exhibit D-4).

Only one hotel (most northern parcel) has been submitted for plan check and grading permits. If this project is approved, this will allow for the other two hotels to be designed and submitted to the proposed height of 55'-0". No portion of the plan check review is being considered as part of this application. The hotel currently under review has 108 rooms proposed. The plans remain under review and a permit has not yet been issued.

Since a Mitigated Negative Declaration has been authorized for this project under the provisions of Section 711.4(c) of the Fish and Game Code, an "Environmental Document Application/Filing Fee" is required in conjunction with the processing of this project and the filing of the required Notice of Determination. In addition, a fifty dollar (\$50.00) "County Administrative Fee" must be included. A single check made payable to the County of Madera is required. (The fee is to be submitted to the Planning Department.) State law (Section 21089(b) of the Public Resources Code) provides that project approval is not operative or final until these Fish and Game fees are paid.

Comments were received from the Environmental Health Department which are standard in nature. Verbal comments were received from two property owners in the vicinity of the project with concerns regarding the viewshed from their properties as they were both located on a bank above the project site.

GENERAL PLAN CONSISTENCY STATEMENT:

The variances, if approved, will reflect the height requirements of the CRM (Commercial Rural Median) zone district. Variances can be considered per Section 18.106 of the Zoning Ordinance. This district is consistent with the

General Plan designation of CC (Community Commercial) which allows for retail, wholesale, services, restaurants, professional and administrative offices, hotels and motels.

FINDINGS

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

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to other property in the vicinity having identical zoning classification.* The architectural design of the building has been designed so that the top floor reaches the allowed height in this zone district. There are mechanical components to the building (condensing units) which will be inside the tower and which would rise above the allowable height without it.
2. *The granting of this variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.* A nearby retail store has a sign, which is also in compliance with the Oakhurst Sign Ordinance which is placed at roof level of the building. For both emergency and advertising purposes, it is necessary to identify the building with signage.
3. *The granting of this variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood.* There are no hazardous materials or uses included as part of this project. The proposal will allow for an architectural extension of the building.
4. *The granting of this variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.* There are no properties within the vicinity of the parcel which has been denied of the same request. A nearby retail store has a sign, which is also in compliance with the Oakhurst Sign Ordinance which is placed at roof level of the building.
5. *Because of special circumstances, applicable to the subject property, including size, shape, topography, location or surroundings, the strict*

application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. The site can only be seen by customers and those traveling by motor vehicle when in the direct vicinity as the structure is situated in front of a hill and cannot be viewed by large areas of the community as many retail centers are.

RECOMMENDATION:

Staff recommends approval of Variance #2014-003-005, Mitigated Negative Declaration #2014-11, and Mitigation Monitoring and Reporting Program subject to conditions as shown in the Conditions of Approval.

CONDITIONS:

See attached conditions of approval.

ATTACHMENTS:

1. Exhibit A, General Plan Map
2. Exhibit A-1, Oakhurst Area Plan Map
3. Exhibit B, Zoning Map
4. Exhibit C, Assessor's Map
5. Exhibit D-1, Site Plan
6. Exhibit D-2, Overview Map
7. Exhibit D-3, Site Topography
8. Exhibit D-4, Elevations
9. Exhibit D-5, First Level Floor Plan
10. Exhibit D-6, Second Level Floor Plan
11. Exhibit D-7, Third Level Floor Plan
12. Exhibit D-8, Fourth Level Floor Plan
13. Exhibit E, Aerial Map
14. Exhibit F, Topographical Map
15. Exhibit G, Operational Statement
16. Exhibit H, Environmental Health Department Comments
17. Exhibit I, Initial Study
18. Exhibit J, Mitigated Negative Declaration
19. Exhibit K, Mitigation Monitoring and Reporting Program

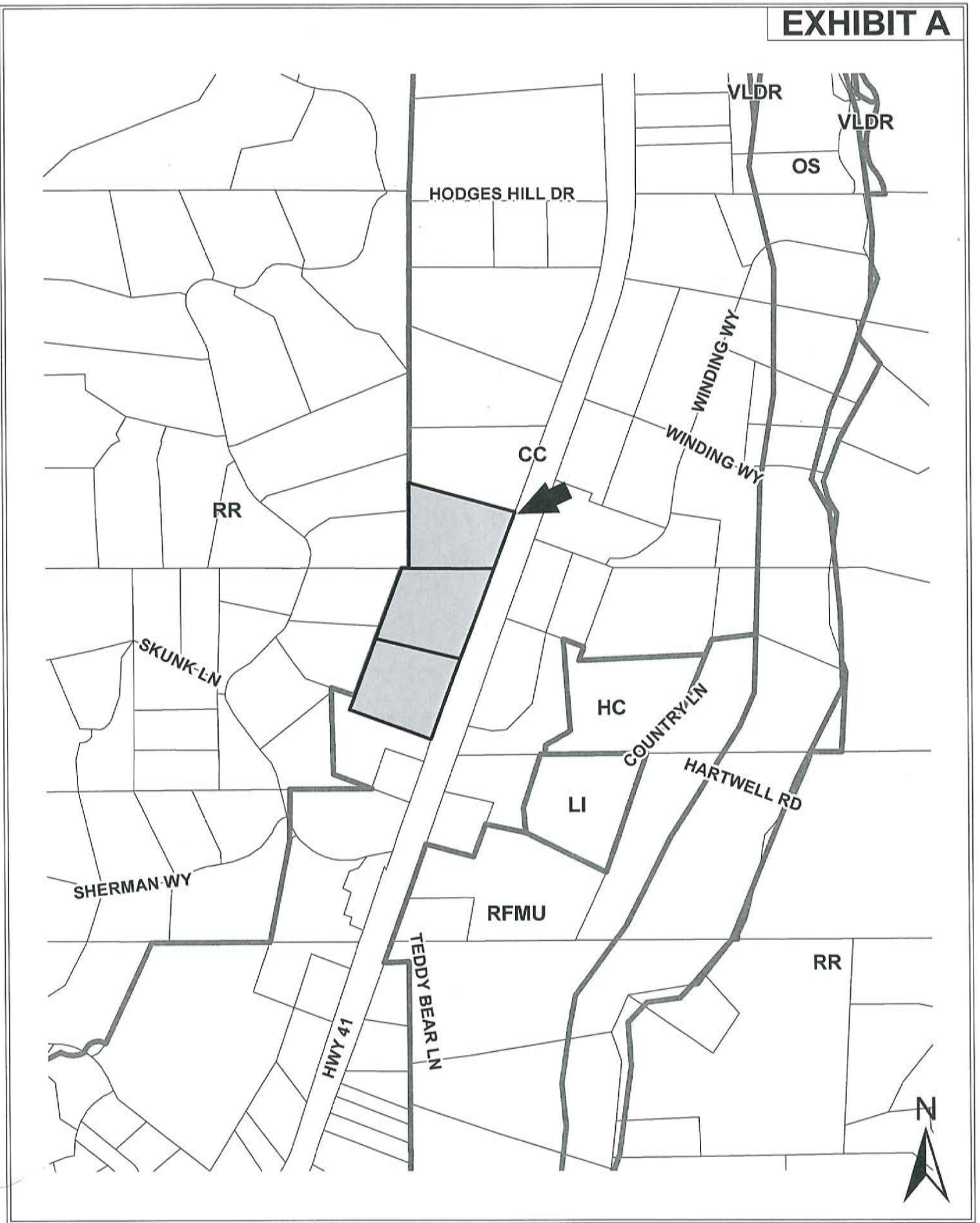
CONDITIONS OF APPROVAL

PROJECT NAME: Project-PC #2014-003, Patel
PROJECT LOCATION: The project site is located on the west side of Highway 41, between its intersections with Hartwell Road and Winding Way (no situs), Oakhurst
PROJECT DESCRIPTION: Height Variance to 55'-0" where 35'-0" is allowed by ordinance.

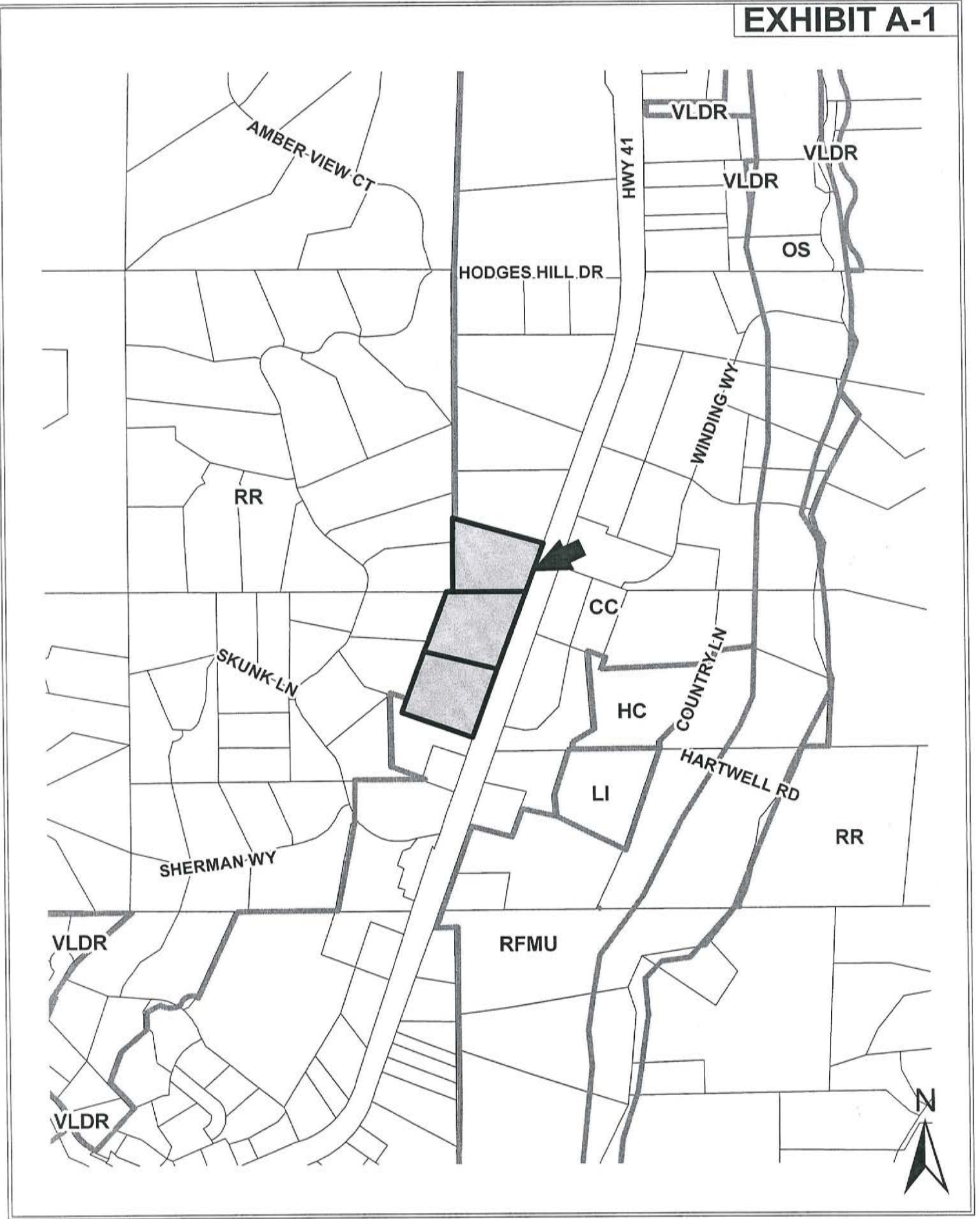
APPLICANT: Pramod Patel
CONTACT PERSON/TELEPHONE NUMBER: 559-360-3679

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Engineering					
	No comments				
Environmental Health					
1	This proposed development shall be served by a community water system and a community sewer system. Water and sewer services for any structures, on any lots, within this development must be connected to an approved community water system as well as a community sewer system. (MCC 17.48.020 & 17.48.010)				
2	This development is located within Madera County Service Area (CSA) MD 22A S and is included with the County Sewer Master Plan and therefore shall connect to it as an approved community sewer system for each individual parcel. The development shall comply with all CSA requirements.				
3	This development is located within the Hillview Water Company and will require a Will Serve Letter as approval of water connection for this proposed project.				
Fire					
	No comments				
Planning					
1	The applicant shall apply for a sign permit as required per the Oakhurst Sign Ordinance.				
2	All mitigation measures outlined in the Mitigated Negative Declaration shall be implemented in development of this project unless added to, deleted from, and/or otherwise modified.				
Road					
	No comments				

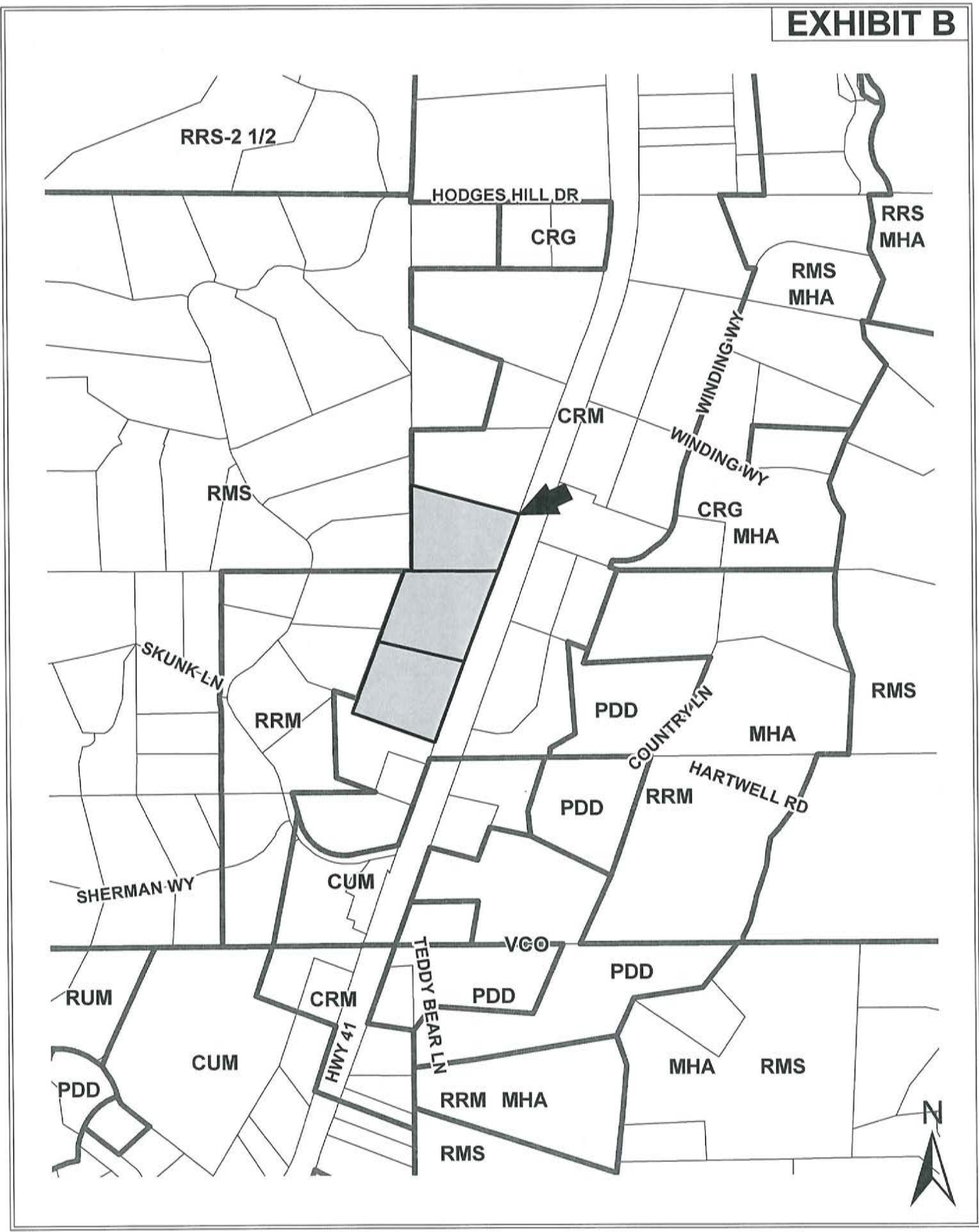
EXHIBIT A



GENERAL PLAN MAP



OAKHURST AREA PLAN MAP

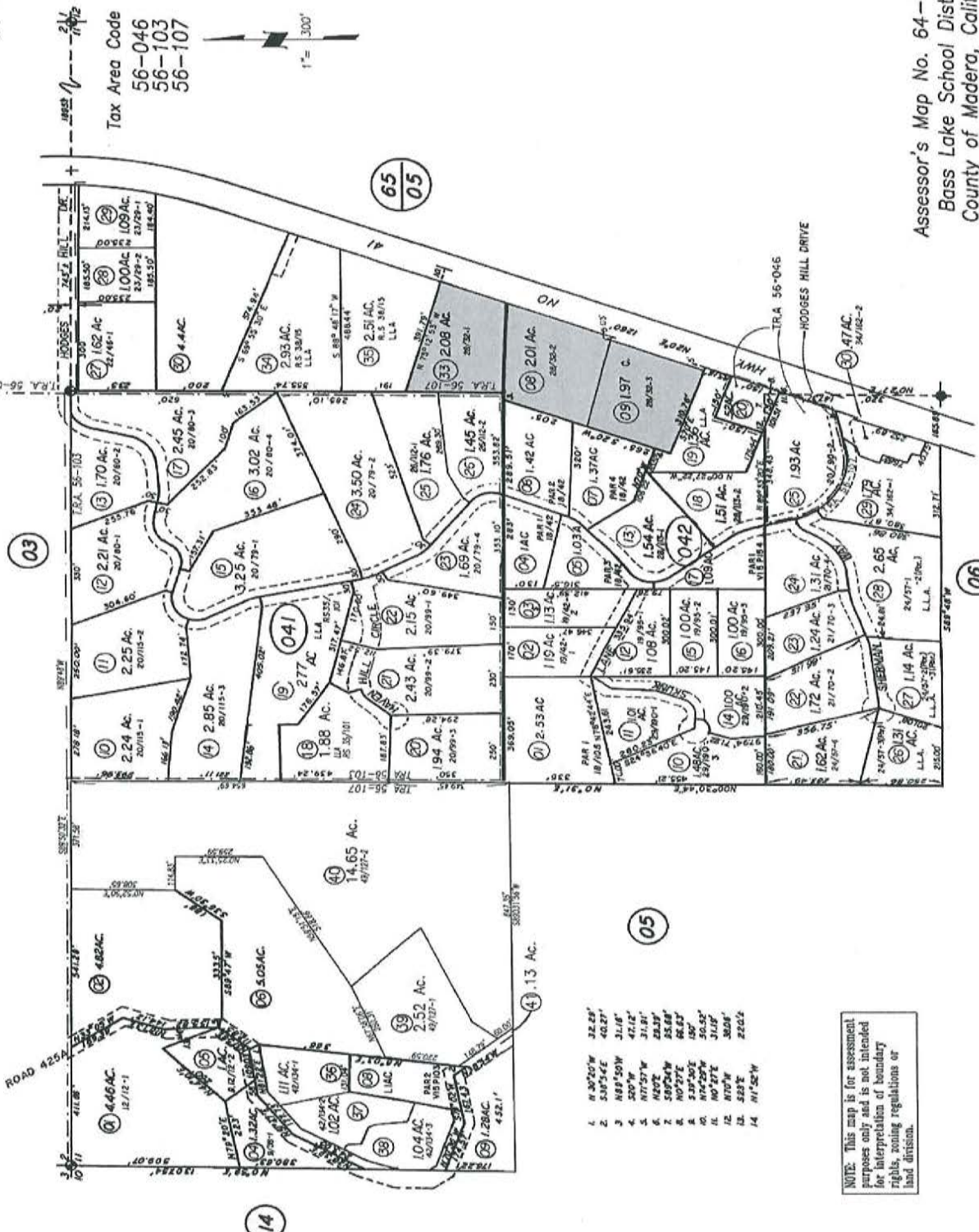


ZONING MAP

EXHIBIT C

64-04

POR. OF NW¼ & NE¼ OF SEC. 11 T.7S. R.21E. M.D.B.&M.



Assessor's Map No. 64-04
 Bass Lake School Dist.
 County of Madera, Calif.
 1966

1. N 20° 20' W 32.28''
2. S 89° 54' E 40.27''
3. N 89° 50' W 42.12''
4. N 71° 50' W 31.81''
5. N 89° 50' W 42.12''
6. N 89° 50' W 42.12''
7. N 89° 50' W 42.12''
8. N 89° 50' W 42.12''
9. N 89° 50' W 42.12''
10. N 89° 50' W 42.12''
11. N 89° 50' W 42.12''
12. N 89° 50' W 42.12''
13. N 89° 50' W 42.12''
14. N 89° 50' W 42.12''

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

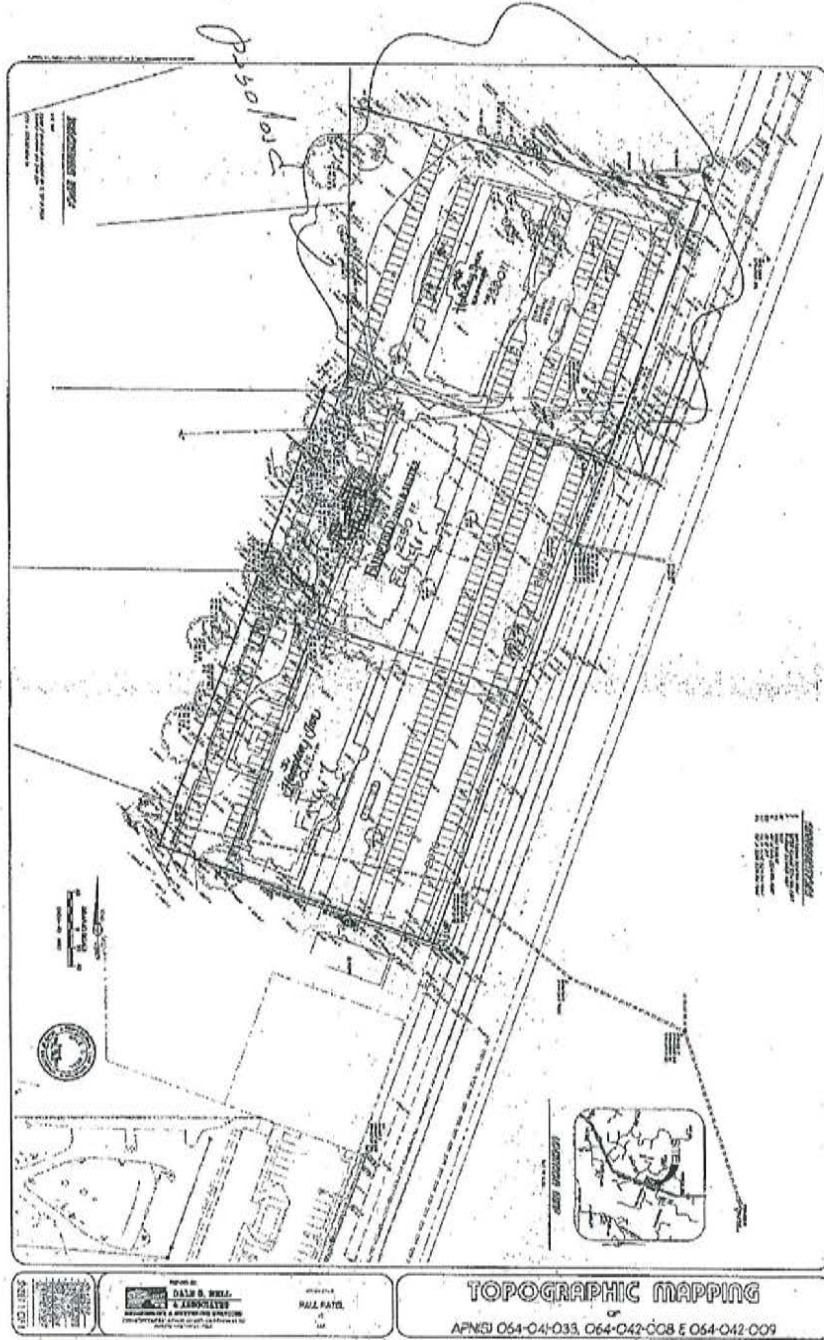
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0088-1-17
 -2-30-B-4

ORIGINAL

ASSESSOR'S MAP

EXHIBIT D3

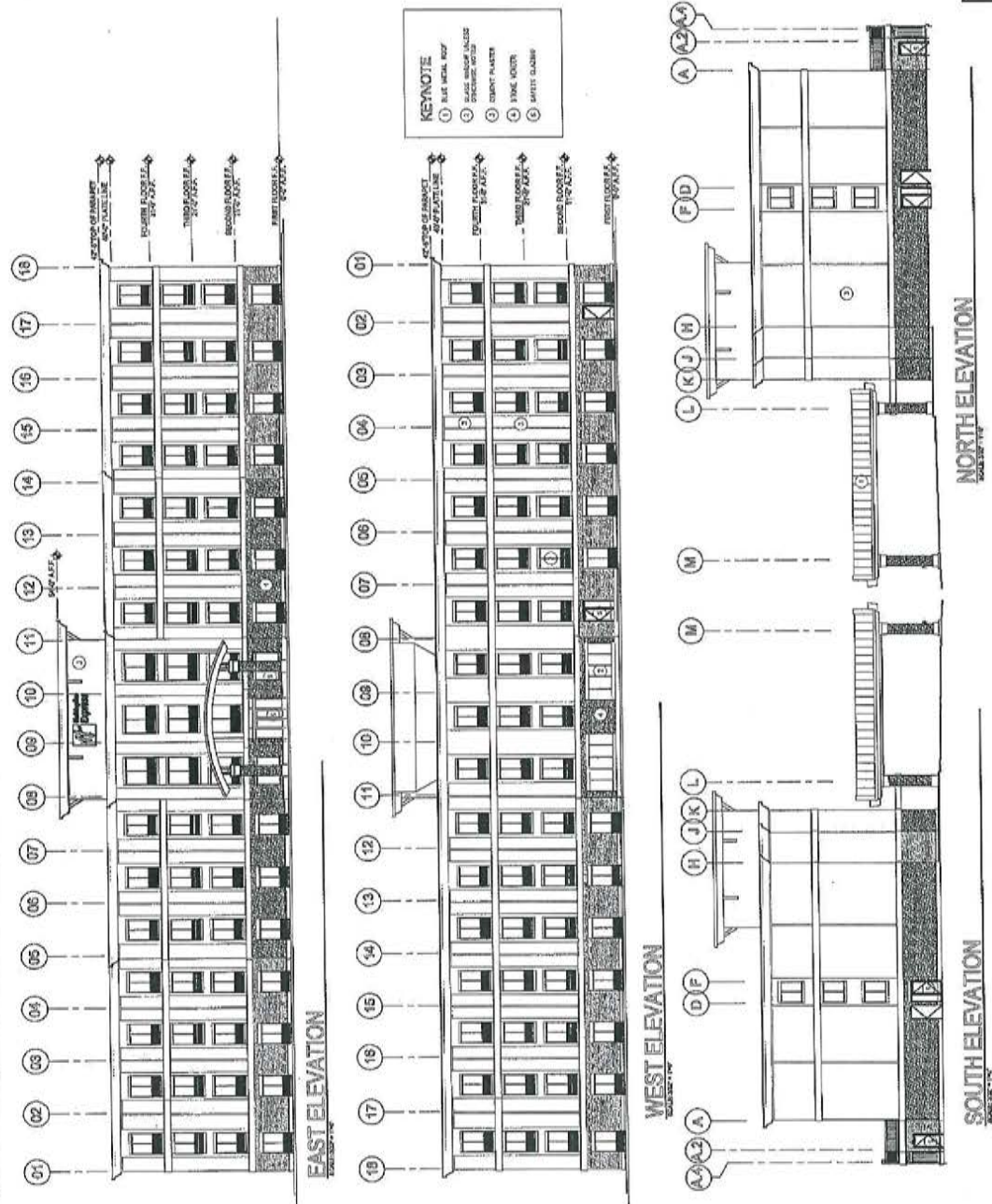


SITE TOPOGRAPHY

EXHIBIT D4

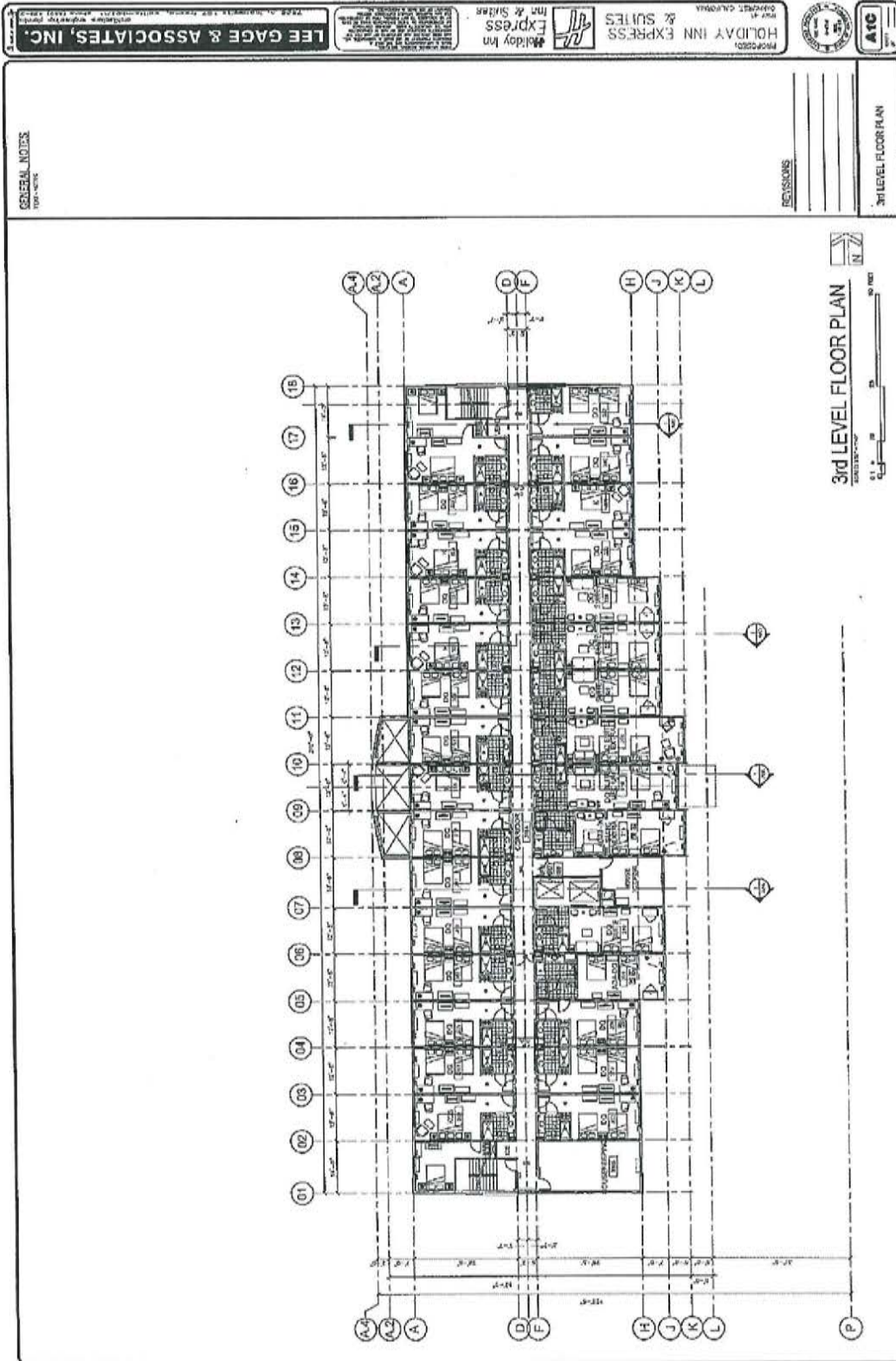






ELEVATIONS

EXHIBIT D7

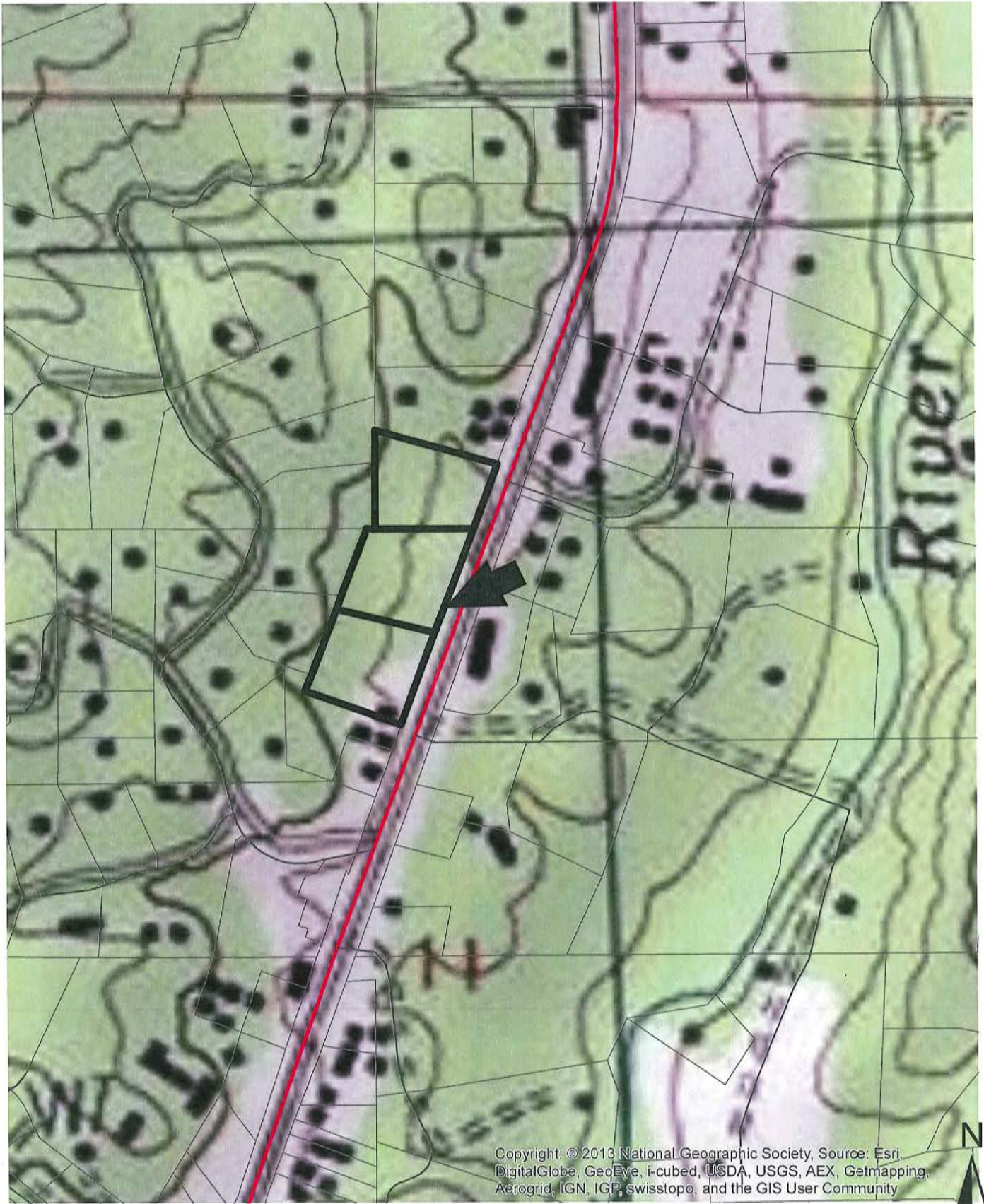


3RD LEVEL FLOOR PLAN



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, ICP, swisstopo, and the GIS User Community

AERIAL MAP



TOPOGRAPHICAL MAP

2018/1811
MADERA COUNTY PLANNING DEPARTMENT
2037 W. CLEVELAND AVENUE MS-G, MADERA CA 93637

EXHIBIT G

OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your proposal. Your operational/environmental statement must be typed or written in a legible manner on a separate sheet(s) of paper. DO NOT SUBMIT THIS CHECKLIST AS YOUR STATEMENT.

1. Please provide the following information:
Assessors Parcel Number
Applicants Name PRAMOD PATEL
Address P.O. Box 1299
Phone Number MARIPOSA, CA 95331

NOTE: Your response to this operation statement must include:
1. Each question as it appears on the form.
2. Your complete answer to each question. Incomplete or illegible responses will not be accepted.
2. Describe the nature of your proposal/operation (please be specific).
3. What is the existing use of the property? 3 Hotels
Vacant
4. What products will be produced by the operation? Will they be produced on-site or at some other location? Are these products to be sold on-site? Explain. No, Service only
5. What are the proposed operational time limits?
Months (if seasonal):
Days per week:
Hours (from ___ to ___): 24 hrs. / 7 days
Total hours per day:
6. Will there be any special activities or events? NO
Frequency:
Hours:
Are these activities indoors or outdoors?
7. How many customers or visitors are expected?
Average number per day: 700 summer /
Maximum number per day: 100 winter
What hours will customers/visitors be there?
8. How many employees will there be?
Current: 120 summer, 30(25) winter
Future:
Hours they work:
Do any live on-site? If so, in what capacity (i.e., caretaker)?
9. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures. N/A
10. Will there be any service and deliver vehicles?
Number: 1/week Summer (Sysco)
Type:
Frequency:
11. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.
330 spaces
12. How will access be provided to the property/project? (Street name)
2 accesses Highway 41

13. Estimate the number and type (i.e., cars, trucks) of vehicular trips per day that will be generated by the proposed development. *350 summer 50 winter*
14. Describe any proposed advertising including size, appearance, and placement. *monument sign*
15. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate. *new buildings*
16. Is there any landscaping or fencing proposed? Describe type and location. *yes (on plans)*
17. What are the surrounding land uses to the north, south, east, and west boundaries of the property? *west 3 residential, N+S - Comm. E-SR 41*
18. Will this operation or equipment used generate noise above existing parcels in the area? *no*
19. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific). *Hillview Water 0.2 units/hotel/rooms*
20. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?
21. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of? *6 yards
3 dumpsters (1/hotel)*
22. Will there be any grading? Tree removal? (please state the purpose, i.e., for roads, building pads, drainage, etc.) *yes (per plans)*
23. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan. *no, disturbed 3 times previously*
24. Locate and show all bodies of water on application plot plan or attached map. *no*
25. Show any ravines, gullies, and natural drainage courses on the property on the plot plan. *no*
26. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of? *no*
27. Will your proposal require use of any public services or facilities? (i.e., schools, parks, fire and police protection or special districts?) *no*
28. How do you see this development impacting the surrounding area? *more business*
29. How do you see this development impacting schools, parks, fire and police protection or special districts? *no*
30. If your proposal is for commercial or industrial development, please complete the following:
- Proposed Use(s) *Hotel*
 Square Feet of Building Area(s) *57,000 each*
 Total Number of Employees *120 summer 30 winter*
 Building Height(s) *~~54'-0"~~ 55'-0"*
31. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map. *no*



RESOURCE MANAGEMENT AGENCY

EXHIBIT H

2037 W. Cleveland Avenue
Madera, CA 93637-3593
(559) 675-7823
FAX (559) 675-7919
TDD (559) 675-8970
envhealth@madera-county.com

ENVIRONMENTAL HEALTH
Jill S. Yeager, Director

MEMORANDUM

TO: Planning Department
FROM: Environmental Health Department
DATE: April 9, 2014
RE: Project PRJ #2014-003, Pramod Patel,
APN: 064-042-009, 064-042-008, & 064-041-033

The Madera County Environmental Health Department (MCEHD) has reviewed the submitted information for this Project PRJ #2013-003, Pramod Patel, located on APN: 064-042-009, 064-042-008 & 064-041-033, within the Madera County and has determined the following:

This proposed development shall be served by a community water system and a community sewer system. Water and sewer services for any structures, on any lots, within this development must be connected to an approved community water system as well as a community sewer system. *[MCC 17.48.020 & 17.48.010]

This development is located within Madera County Service Area (CSA) MD 22A S and is included with the County Sewer Master Plan and therefore shall connect to it as an approved community sewer system for each individual parcel. The development shall comply with all CSA requirements.

This development is located within the Hillview Water Company and will require a Will Serve Letter as approval of water connection for this proposed project.

*Madera County Code 17.48.010 Water systems.

The applicability, design and construction of all waterworks facilities shall be in accordance with the provisions of state law and Article I of Title 13 of this code. A water system with service to each parcel shall be installed in each and every subdivision created within Madera County located below the five hundred-foot contour elevation. For subdivisions and parcel maps located above the five hundred-foot contour, a water system shall be installed in all land divisions with lots less than three acres in size (gross acreage). Water systems in subdivisions shall be operated as a public utility as authorized by the Public Utilities Commission of the state, or be served by a district or public agency for which the board of supervisors is the board of directors and which is authorized by law to provide the water needs. Alternatives to county maintenance districts will be allowed subject to obtaining approved infrastructure plans by the planning commission and board of

supervisors. Water supply information acceptable to a certified hydrogeologist is required for all land divisions with parcel sizes three acres or larger. If adequate existing water supply information is not available, well drilling and testing may be required on parcels specified by the environmental health department. (Ord. 278N § 10(part), 2004).

*Madera County Code 17.48.020 Sewage systems.

The applicability, design and construction of all sewage disposal facilities shall be in accordance with the provisions of state law and Article II of Title 13 of this code; provided, that in addition to any and all of said requirements, all proposed subdivisions in the county west of the elevation line designated as the "five hundred-foot contour line" in the foothills of the county shall have installed community sewer disposal systems or an executed contract with an adjoining community sewer system, to which all of the lots within the proposed subdivision shall connect. The county strongly recommends community sewer systems for all subdivisions within the county, but subdivisions proposed east of said five hundred-foot contour line will be considered as to the appropriate installation of septic tanks for each lot therein, when such installation is not in conflict with the sewer ordinance of the county. (Ord. 278N § 10(part), 2004).

If there are any questions or comments regarding these conditions please feel free to contact our department at (559) 675-7823, M-F, 8:00 AM to 5:00 PM.

Environmental Checklist Form

EXHIBIT I

Title of Proposal: Project-PC #2014-003, Patel

Date Checklist Submitted: 4/15/2014

Agency Requiring Checklist: Madera County Planning Department

Agency Contact: Jamie Bax, Senior Planner

Phone: (559) 675-7821

Description of Initial Study/Requirement

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

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

Description of Project:

A Height Variance to allow for a 55'-0" elevation where a 35'-0" elevation is allowed by right.

Project Location:

The project is located on the west side of Highway 41, between its intersections with Hartwell Road and Winding Way (no situs), Oakhurst

Applicant Name and Address:

Patel, Pramod
7662 Cottonwood Lane
Pleasanton, CA 94588

General Plan Designation:

CC- (Community Commercial) Designation

Zoning Designation:

CRM (Commercial Rural Median) District

Surrounding Land Uses and Setting:

Commercial, Residential

Other Public Agencies whose approval is required:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Prior EIR or ND/MND Number

Signature 

Date 4/15/14

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

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

The proposed height variance is not located in a scenic vista; however, the applicant is required to comply with mitigation measures for lighting in addition to compliance with the Oakhurst Sign Ordinance.

(b) No Impact

No scenic resources will be impacted by this variance proposal. The buildings and use are allowed "by right" in this zone district. The applicant is requesting additional height to be added to the buildings for architectural purposes.

(c) Less than Significant Impact

The proposed height variance is to enhance the architectural qualities of the hotels.

(d) Less than Significant Impact with Mitigation Incorporated

There will be impacts to additional light sources; however, as mitigated, impacts will be less than significant.

General Information:

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

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

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

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

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

Discussion:

(a) No Impact

The project site is zoned for commercial use

(b) No Impact

The site is not subject to a Williamson Act contract.

(c) No Impact

The proposed project will not result in impacts to forest land or timberland protection as the site is zoned for commercial use. The zoning is not proposed to be changed as part of this project.

(d) No Impact

The proposed project will not result in the loss of forest land.

(e) No Impact

The project site is zoned for commercial use.

General Information

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

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

below:

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

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

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

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

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

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

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

III.	<p>AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>	Potentially Significant Impact	Less Than Significant with Mitiga- tion Incorpo- ration	Less Than Significant Impact	No Impact
	a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

See a.

General Information

Global Climate Change

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

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

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

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

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building. There will be no impacts to biological habitats as a result of this project.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

See a.

(f) No Impact

See a.

General Information

Special Status Species include:

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

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

Species	Federal Listing	State Listing	Dept. of Fish and Game Listing	CNPS Listing
Great gray owl	None	Endangered		
California spotted owl	None	None	SSC	

An andrenid bee	None	None		
Valley elderberry longhorn beetle	Threatened	None		1B.2
Sierra Nevada red fox	None	Threatened		
Western pond turtle	None	None		
Orange lupine	None	None		1B.2
Mariposa pussy-paws	Threatened	None		1B.1
Yosemite evening-primrose	None	None		4.3
Slender-stalked monkeyflower	None	None		1B.2
Madera leptosiphon	None	None		1B.2
Ewan's larkspur	None	None		4.2

List 1A: Plants presumed extinct

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

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

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

List 4: Plants of Limited Distributed - a watch list

Ranking

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

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

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

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

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

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

General Information

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

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

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

Reference CEQA Guidelines §15064.5 for definitions.

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

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

(a-i) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(a-ii) No Impact

See a-i.

(a-iii) No Impact

See a-i.

(a-iv) No Impact

See a-i.

(b) No Impact

See a-i.

(c) No Impact

See a-i.

(d) No Impact

See a-i.

(e) No Impact

See a-i.

General Information

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

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

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

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

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

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

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

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake, Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

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

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

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

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

General Information

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

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

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

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

The project site is not located within an airport land use plan or within two miles of a public airport.

(f) No Impact

The project site is not located within the vicinity of a private airstrip.

(g) No Impact

See a.

(h) No Impact

See a.

General Information

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

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

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

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

IX. HYDROLOGY AND WATER QUALITY – Would the project:

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

j) Inundation by seiche, tsunami, or mudflow?

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

See a.

(f) No Impact

See a.

(g) No Impact

No housing is proposed as part of this project.

(h) No Impact

The project site is not located within a 100-year flood hazard area..

(i) No Impact

See a.

(j) No Impact

See a.

General Information

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

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

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

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

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

Discussion:

(a) No Impact

The proposed project does not have the potential to divide an established community.

(b) No Impact

The project does not propose a change to the use of the land.

(c) No Impact

The construction of the hotels are a “by right” use in this zone district. The variance is being requested for architectural qualities of the building.

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

Discussion:

(a) No Impact

The construction of the hotels are a “by right” use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

XII. NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- d) A substantial temporary or periodic increase in ambient levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

The project site is not located within an airport land use plan, within two miles of a public airport, or within the vicinity of a private airstrip.

(f) No Impact

See e.

General Discussion

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

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g. demolition/land clearing, grading and excavation, erection). The United States Environmental Protection Agency has found that the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA Leq, with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods.

Short Term Noise

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

Long Term Noise

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

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, associated with the

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

**MAXIMUM ALLOWABLE NOISE EXPOSURE FOR
NON-TRANSPORTATION NOISE SOURCES***

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

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

AM = 7:00 AM to 10:00 PM

PM = 10:00 PM to 7:00 AM

L = Light

H = Heavy

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

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

Reaction of People and Damage to Buildings from Continuous Vibration Levels		
Velocity Level, PPV (in/sec)	Human Reaction	Effect on Buildings
0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings

0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations vibration	Architectural damage and possibly minor structural damage
Source: Whiffen and Leonard 1971		

XIII. POPULATION AND HOUSING -- Would the project:

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

General Information

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

XIV. PUBLIC SERVICES

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

v) Other public facilities?

Discussion:

(a-i) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(a-ii) No Impact

See a-i.

(a-iii) No Impact

See a-i.

(a-iv) No Impact

See a-i.

(a-v) No Impact

See a-i.

General Information

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

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

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

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

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

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

XV. RECREATION

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

No recreational facilities are required as part of this project.

General Information

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

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

See a.

(f) No Impact

See a.

General Information

According to the Institute of Traffic Engineers (7th Edition, pg. 268-9) the trips per day for one single-family residence are 9.57.

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

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

Unsignalized intersections.

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

Signalized intersections.

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

Capacity per hour per lane for various highway facilities

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

Horizon Year	Total Population (thousands)	Employment (thousands)	Average Weekday VMT (millions)	Total Lane Miles
2010	175	49	5.4	2,157

2011	180	53	5.5	NA
2017	210	63	6.7	NA
2020	225	68	7.3	2,264
2030	281	85	8.8	2,277

Source: MCTC 2007 RTP

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

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

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

(d) No Impact

See a.

(e) No Impact

See a.

(f) No Impact

See a.

(g) No Impact

See a.

General Discussion

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

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

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

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

(a) No Impact

The construction of the hotels are a "by right" use in this zone district. The variance is being requested for architectural qualities of the building.

(b) No Impact

See a.

(c) No Impact

See a.

General Information

CEQA defines three types of impacts or effects:

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

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

Madera County General Plan

California Department of Finance

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

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

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

Madera County Integrated Regional Water Management Plan.

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

MITIGATED NEGATIVE DECLARATION

MND 2014-11

RE: PRJ-PC #2014-33, Pramod Patel

LOCATION AND DESCRIPTION OF PROJECT:

Pramod Patel is proposing three height variances for hotels over three parcels equaling 6.06 acres. The applicant is requesting 3 hotels to be 55'-0" in height where a 35'-0" height is allowed in the CRM (Commercial Rural Median) District.

The project site is located on the west side of Highway 41, between its intersections with Hartwell Road and Winding Way (no situs), Oakhurst

ENVIRONMENTAL IMPACT:

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

BASIS FOR NEGATIVE DECLARATION:

See attached mitigation measures



Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 2037 West Cleveland Avenue, Madera, California.

DATED: April 22, 2014

FILED:

PROJECT APPROVED:

MITIGATION MONITORING REPORT

MND # 2014-11

No.	Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
						Initials	Date	Remarks
Aesthetics								
	Any lighting shall be hooded and directed away from neighboring properties.							
Agricultural Resources								
Air Quality								
Biological Resources								
Cultural Resources								
Geology and Soils								
Hazards and Hazardous Materials								
Hydrology and Water Quality								
Land Use and Planning								
Mineral Resources								
Noise								
Population and Housing								
Public Services								
Recreation								
Transportation and Traffic								
Utilities and Service Systems								