



LOCAL AGENCY FORMATION COMMISSION

Dave Braun, Executive Officer

200 W. 4th Street, Suite 3100, Madera, CA 93637
www.maderacounty.com/government/madera-lafco
(559) 675-7821

DATE: February 21, 2024 **ITEM #6**

TO: LAFCO Commission

FROM: Dave Braun, Executive Officer

SUBJECT: CITY OF MADERA – COUNTRY CLUB DRIVE/MARTIN STREET
ANNEXATION (2023-001)

PROPOSAL

This application proposes the annexation of 53 parcels, a canal, and public street right-of-way consisting of approximately 245 acres to the City of Madera. The annexation is bounded by Martin Street to the north, North D Street to the east, Adell and Ellis Streets to the south, and the USBR (United States Bureau of Reclamation) canal and Country Club Drive (Road 26) to the west.

The parcels are a mix of rural residential, commercial uses, and vacant properties. The area also includes two churches and two schools as well as the Madera Unified School District High School/Middle School/Elementary School Campus along Martin Street.

BACKGROUND

The ARC of Fresno/Madera Counties submitted entitlements with the City of Madera to develop their 2.1-acre property at 16482 Road 26 (APN 038-060-018) with an Intellectual and Development Disability Center. This property is currently in the unincorporated County and is several parcels removed from the City of Madera boundary. In an effort to provide a uniform boundary for annexation, the City of Madera (in consultation with LAFCO) expanded the area of annexation to include the now proposed 53 parcel, 245-acre annexation.

On May 17, 2023, the Madera City Council initiated the annexation application and rezoned the entire annexation area. It is noted that the City of Madera also approved a Plan Amendment Application, Conditional Use Permit, and Site Plan Review Application for the ARC project.

Parcel Information (See Attached Exhibits A and B)

Contiguity

The area proposed for annexation is contiguous to the City of Madera to the south.

Infrastructure

The area would receive water and sewer services from the City of Madera, which currently has existing infrastructure adjacent to and within the area proposed for annexation.

Within the proposed annexation area, existing City water facilities are located beneath Road 26, Martin Street, North D Street, approximately 1,000 feet of Ellis Street west of North D Street, and approximately 1,500 feet of Adell Street west of North D Street. Existing City sewer facilities within the annexation area are located beneath Ellis Street, Road 26 north of Ellis Street, North D Street, approximately 1,700 feet of Martin Street west of North D Street. City water and sewer mains serve the 93.13-acre combined Matilda Torres High School, Jack G. Desmond Middle School, and Nishimoto Elementary School Campus.

Environmental Review

The City of Madera issued a Negative Declaration for the project dated November 2022, which is considered adequate for the proposed annexation.

ANALYSIS

The immediate purpose of the proposed annexation is to allow for the development of the ARC Fresno/Madera property with an Intellectual and Development Disability Center utilizing City services. As noted above, there were many other properties that needed to be included in the annexation to provide a uniform City/County boundary.

Although this relatively large annexation currently only relates to the development of a 2.1-acre parcel, the annexation could serve as a stimulant to development of other properties within the proposed annexation area. The annexation will also allow for the future annexation of other adjacent properties that previously were a significant distance from the City boundary.

Some of the parcels within the annexation area currently receive City of Madera water and/or sewer services by out-of-area service agreements. This includes the Madera Unified School District Campus along Martin Street at the north end of the annexation area.

It is appropriate to centralize the governance of all the urban services and land use control for this area under the City, as the City is the most efficient provider of these services.

Pursuant to Section 99 of the California Revenue and Taxation Code, the City and County have entered into an agreement for property tax exchange.

Government Code Section 65580, et al. requires that the redistribution of Regional Housing Needs Allocation (RHNA) must be discussed and agreed upon as part of the Housing Element process or by agreement. The RHNA numbers listed below for this project are based on the formula agreed to by the City of Madera and the County of Madera in collaboration with Housing and Community Development.

RHNA Classifications	Annexation
Very Low Income	66
Low Income	33
Moderate Income	99
Above Moderate Income	132
Total RHNA allocations	330

The City of Madera approved the rezoning of the property on May 17, 2023, as required by Section 56375 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Pursuant to Government Code Section 56668, staff has reviewed the specific factors and has prepared an analysis of those points (See Exhibit N). Other than issues previously addressed in this report, no issues of significance were identified for the annexation of this area.

RECOMMENDATION

Staff recommends that the Commission approve the proposed annexation, subject to the following conditions and findings:

CONDITIONS AND FINDING

1. The annexation shall consist of 53 parcels, a canal, and public street right-of-way totaling approximately 245 acres as shown on Exhibit A. The annexation shall include the street right-of-way of Country Club Drive (Road 26), North D Street, Ellis Street, Sonora Street, Owens Street, and Martin Street adjacent to the subject properties and the USBR Canal adjacent to the subject properties.
2. The applicant shall cause to be prepared, to the satisfaction of the Madera LAFCO Executive Officer, such documents and legal descriptions as are deemed necessary for filing a Statement of Boundary Change with the State Board of Equalization. Any necessary fees or costs for processing and documentation shall be paid by the applicant.

- Pursuant to Section 99 of the California Revenue and Taxation Code, the City and County have entered into an agreement for property tax exchange and redistribution of Regional Housing Needs Allocation (RHNA). The RHNA numbers listed below are in agreement with the formula agreed to by the City and the County.

RHNA Classifications	Annexation
Very Low Income	66
Low Income	33
Moderate Income	99
Above Moderate Income	132
Total RHNA allocations	330

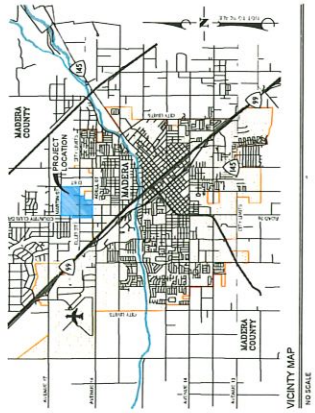
- The short-term designation shall be "City of Madera – Country Club Drive/Martin Street Annexation (2023-001)."
- Comply with the attached memorandum from the California Department of Transportation dated October 12, 2023.
- Comply with the attached memorandum from the Madera County Department of Public Works dated October 13, 2023.
- Comply with the attached memorandum from the San Joaquin Valley Air Pollution Control District dated October 23, 2023.
- The annexation is inhabited as defined by Government Code Section 56046.
- The City of Madera's Initial Study/Negative Declaration (ENV 2022-03) has been reviewed, found to be in compliance with CEQA, and considered adequate for the annexation; the adoption of this document is, therefore, justified.
- It is the intent of the Commission to waive subsequent protest hearings and election proceedings pursuant to Government Code Section 56663.
- Direct the Executive Officer to prepare and execute a Certificate of Completion upon receipt of required processing fees required by Section 57200 (made payable to the State Board of Equalization).

ATTACHMENTS

Exhibit A	Annexation Map/Legal Description
Exhibit B	Display Map
Exhibit C	Aerial Photo
Exhibit D	Madera County Zoning Map
Exhibit E	City of Madera General Plan Land Use Map
Exhibit F	City of Madera Prezone Map
Exhibit G	Property Zoning/Land Use
Exhibit H	Property Assessed Value/ Registered Voters
Exhibit I	Madera City Council Ordinance Bill No. 1001 (Prezone)
Exhibit J	Madera City Council Resolution No. 23-71 (Annexation)
Exhibit K	Correspondence from the California Department of Transportation dated October 12, 2023
Exhibit L	Correspondence from the San Joaquin Valley Air Pollution Control District dated October 23, 2023
Exhibit M	Correspondence from the Madera County Public Works Department dated October 13, 2023
Exhibit N	Analysis of Section 56668 Factors
Exhibit O	Initial Study/Negative Declaration (ENV 2022-03) dated November 2022 (environmental document sent by email)
Exhibit P	Resolution

c: County Administrative Officer
City of Madera, City Manager

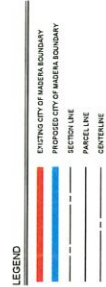
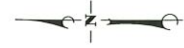
ANNEXATION NO. 2022-03
"COUNTRY CLUB / MARTIN STREET
ANNEXATION TO THE CITY OF MADERA"
RESOLUTION NO. 23-71
 CONSISTING OF 245 ACRES, MORE OR LESS.



COURSES	LINE #	BEARING	DISTANCE
1	L1	N89°34'30"W	1543.17'
2	L2	S89°34'30"E	2232.00'
3	L3	S89°34'30"E	1764.56'
4	L4	N89°34'30"W	1932.34'
5	L5	S89°34'30"E	446.60'
6	L6	N89°34'30"W	446.60'
7	L7	S89°34'30"E	933.37'
8	L8	N89°34'30"W	2712.40'
9	L9	S89°34'30"E	800.00'
10	L10	N89°34'30"W	260.00'
11	L11	N89°34'30"W	471.07'
12	L12	N89°34'30"W	428.00'
13	L13	N89°34'30"W	213.00'
14	L14	S89°34'30"E	118.00'
15	L15	S89°34'30"E	100.00'
16	L16	S89°34'30"E	100.00'

DISCLAIMER
 "FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF THE PROPERTY IS BASED ON THE INFORMATION PROVIDED AND SHOULD BE USED AS A GUIDE FOR REFERENCE ONLY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED."

EXHIBIT A



PRAXIS
 LAND SURVEYING

DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 10-13-2022
 PROJECT: 2022-03

SCALE: AS SHOWN
 DATE: 10-13-2022
 CHECKED BY: [Name]
 DATE: 10-13-2022
 PROJECT: 2022-03

4698 W. MADISON AVENUE #101
 FRESNO, CA 93725
 (559) 840-2782
 www.praxislandsurveying.com

ANNEXATION NO. 2022-03
 "COUNTRY CLUB / MARTIN STREET
 ANNEXATION TO THE CITY OF MADERA"
 RESOLUTION NO. 23-71
 CONSISTING OF 245 ACRES, MORE OR LESS.

ANNEXATION NO. 2022-03
ANNEXATION TO THE CITY OF MADERA
RESOLUTION NO. 23-71

GEOGRAPHIC DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY, SITUATE IN A PORTION OF SECTIONS 11 AND 12, TOWNSHIP 11 SOUTH, RANGE 17 EAST, MD.B.&M., IN THE UNINCORPORATED AREA OF THE COUNTY OF MADERA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

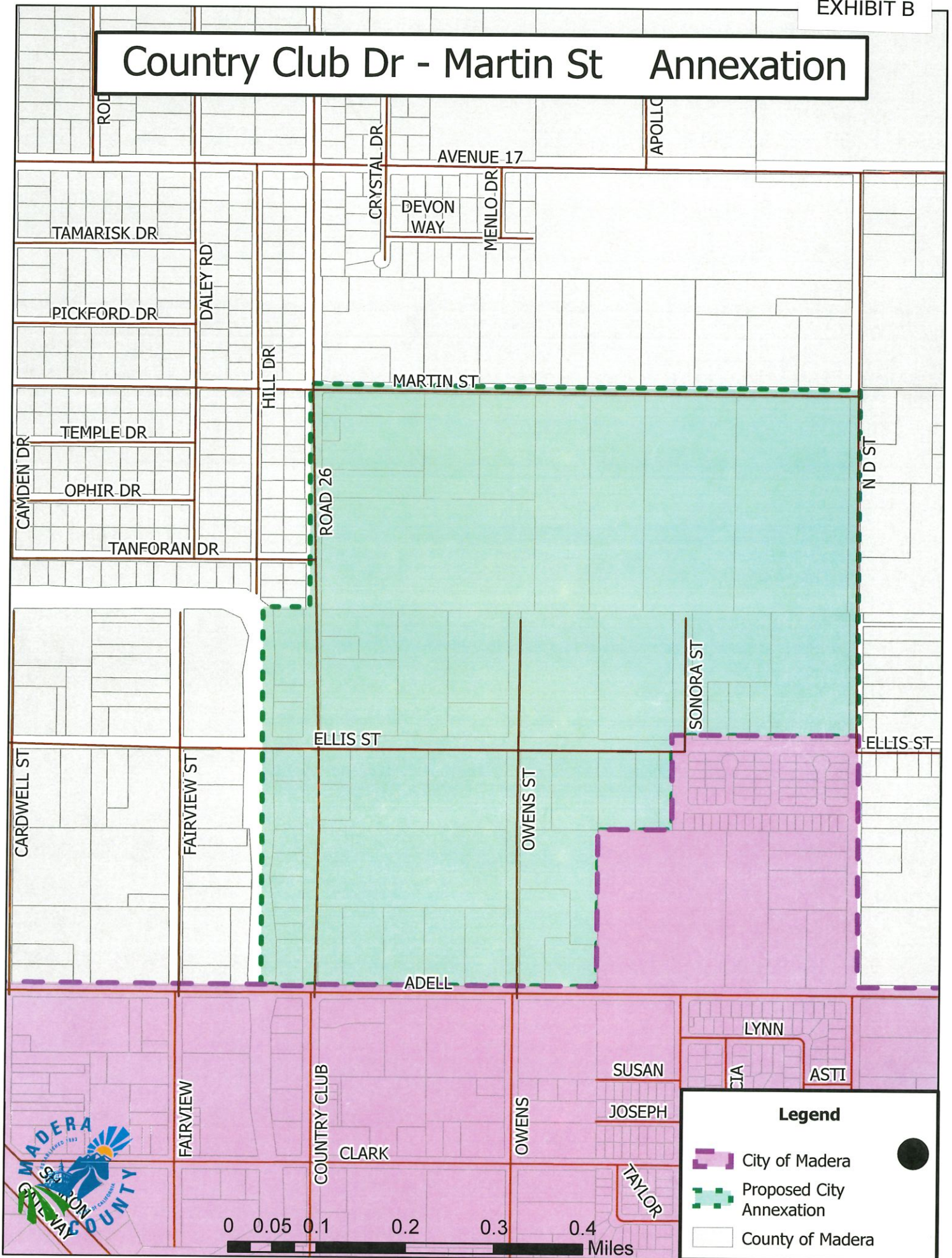
BEGINNING AT A POINT ON THE WEST LINE OF COUNTRY CLUB DRIVE (COUNTY ROAD 26), SAID POINT BEING NORTH 89° 41' 13" WEST 50.00 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 12;

THENCE, (L1) NORTH 00° 04' 59" WEST, A DISTANCE OF 1340.18 FEET;
THENCE, (L2) SOUTH 89° 42' 25" EAST, A DISTANCE OF 3335.09 FEET;
THENCE, (L3) SOUTH 00° 12' 54" WEST, A DISTANCE OF 1341.40 FEET;
THENCE, (L4) SOUTH 00° 26' 47" WEST, A DISTANCE OF 764.56 FEET;
THENCE, (L5) NORTH 89° 33' 13" WEST, A DISTANCE OF 1093.38 FEET;
THENCE, (L6) SOUTH 00° 26' 47" WEST, A DISTANCE OF 546.68 FEET;
THENCE, (L7) NORTH 89° 33' 13" WEST, A DISTANCE OF 466.69 FEET;
THENCE, (L8) SOUTH 00° 26' 47" WEST, A DISTANCE OF 933.37 FEET;
THENCE, (L9) NORTH 89° 33' 13" WEST, A DISTANCE OF 2121.40 FEET;
THENCE, (L10) NORTH 04° 02' 13" WEST, A DISTANCE OF 64.69 FEET;
THENCE, (L11) NORTH 02° 09' 47" EAST, A DISTANCE OF 600.60 FEET;
THENCE, (L12) NORTH 04° 02' 13" WEST, A DISTANCE OF 300.90 FEET;
THENCE, (L13) NORTH 00° 59' 47" EAST, A DISTANCE OF 471.57 FEET;
THENCE, (L14) NORTH 02° 13' 13" WEST, A DISTANCE OF 428.60 FEET;
THENCE, (L15) NORTH 09° 06' 47" EAST, A DISTANCE OF 215.70 FEET;
THENCE, (L16) NORTH 24° 47' 13" WEST, A DISTANCE OF 119.90 FEET;
THENCE, (L17) NORTH 65° 07' 13" WEST, A DISTANCE OF 119.90 FEET;
THENCE, (L18) SOUTH 89° 41' 13" EAST, A DISTANCE OF 507.13 FEET TO THE **POINT OF BEGINNING**.




CONTAINING 245 ACRES, MORE OR LESS.

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

Country Club Dr - Martin St Annexation



Legend

-  City of Madera
-  Proposed City Annexation
-  County of Madera

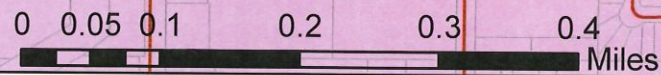


Figure 2-2 Aerial Map

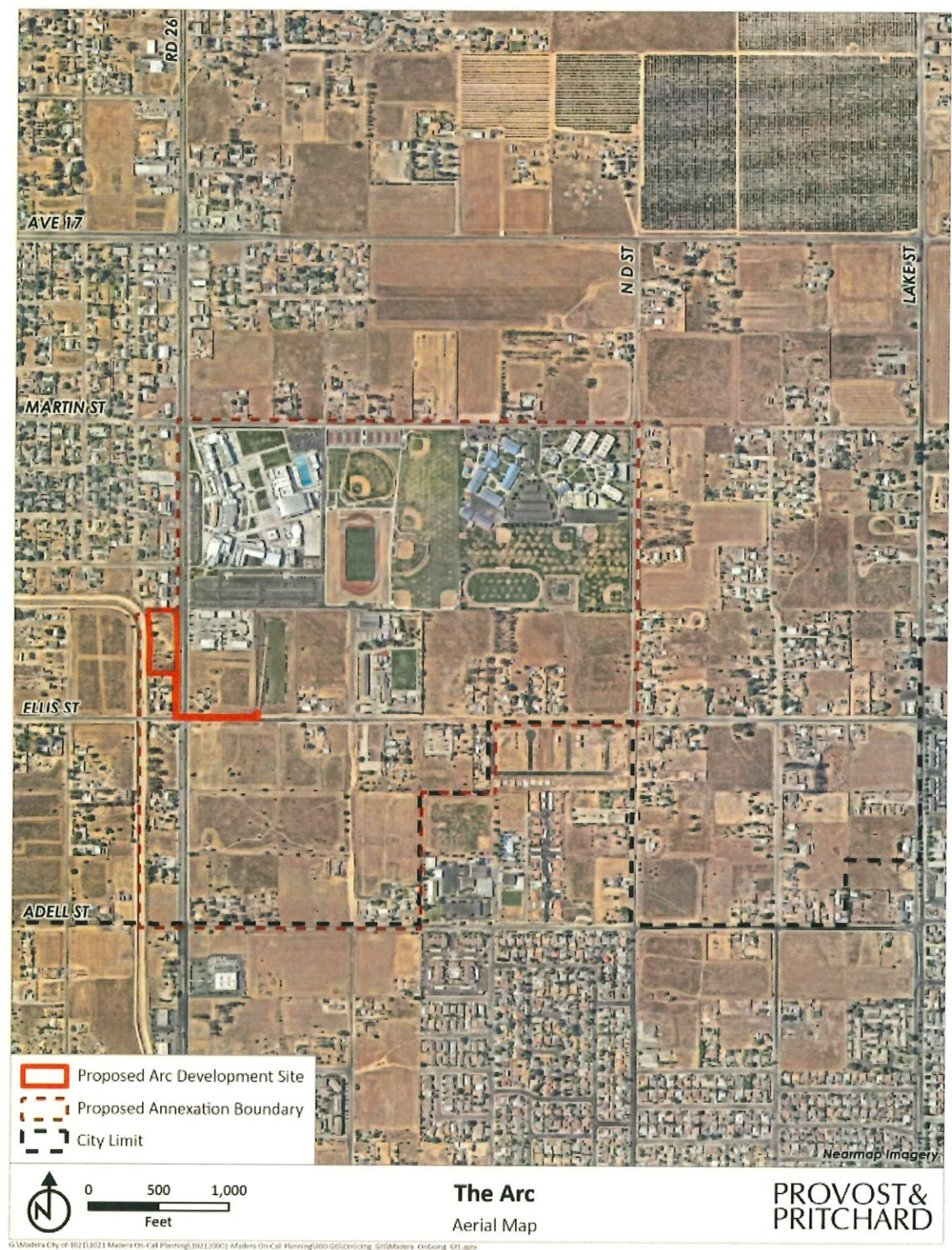


EXHIBIT D

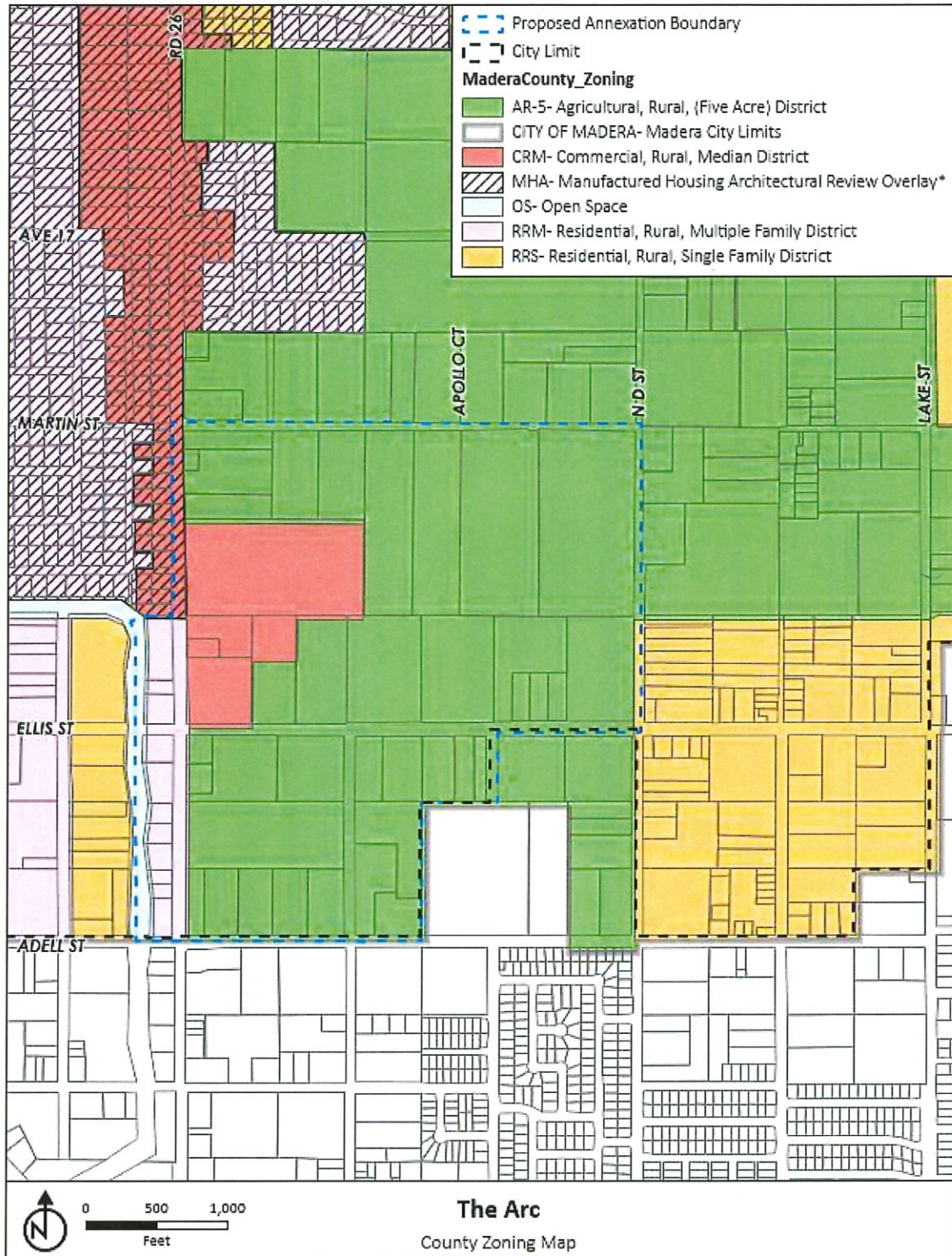


EXHIBIT E

Proposed General Plan Land Use

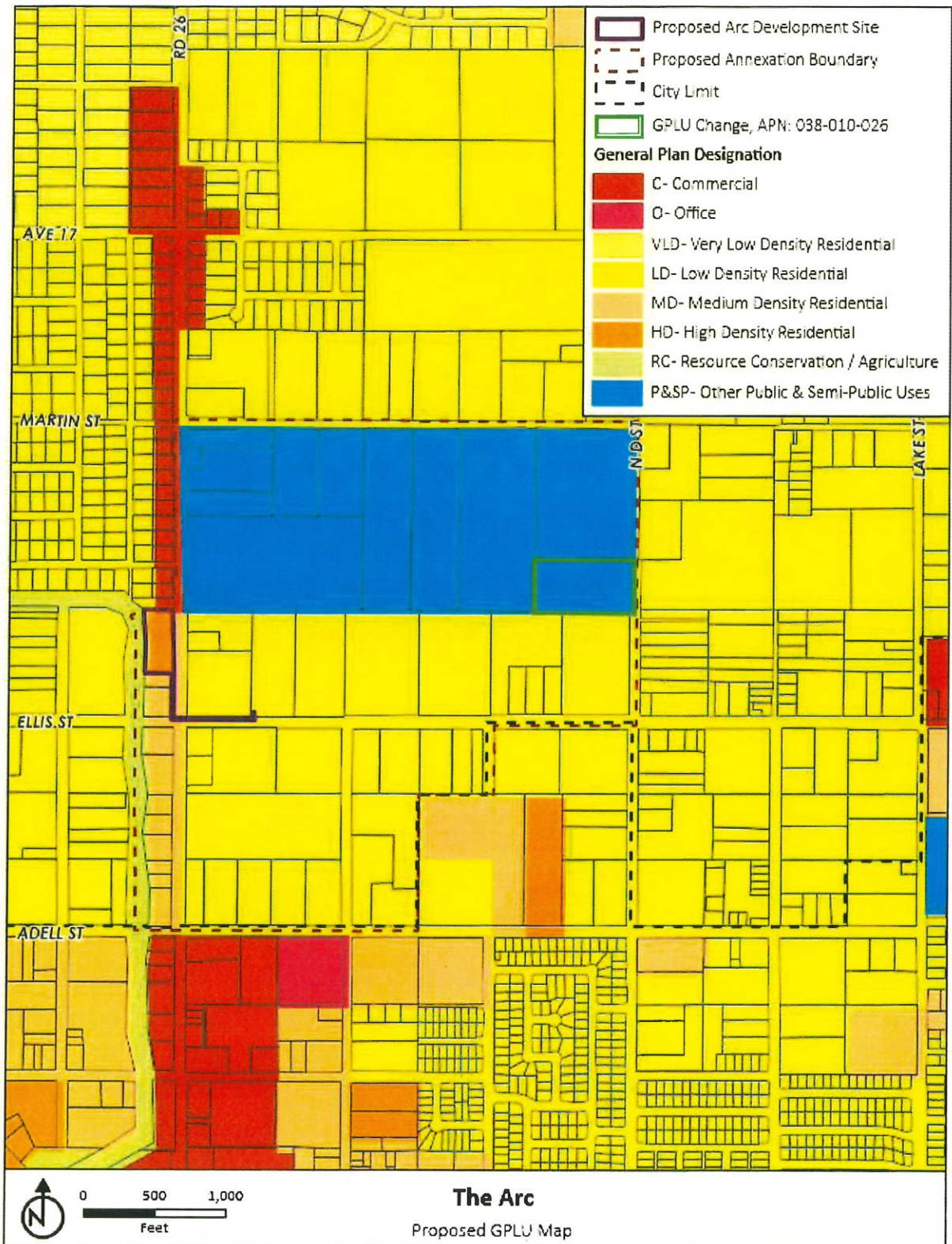
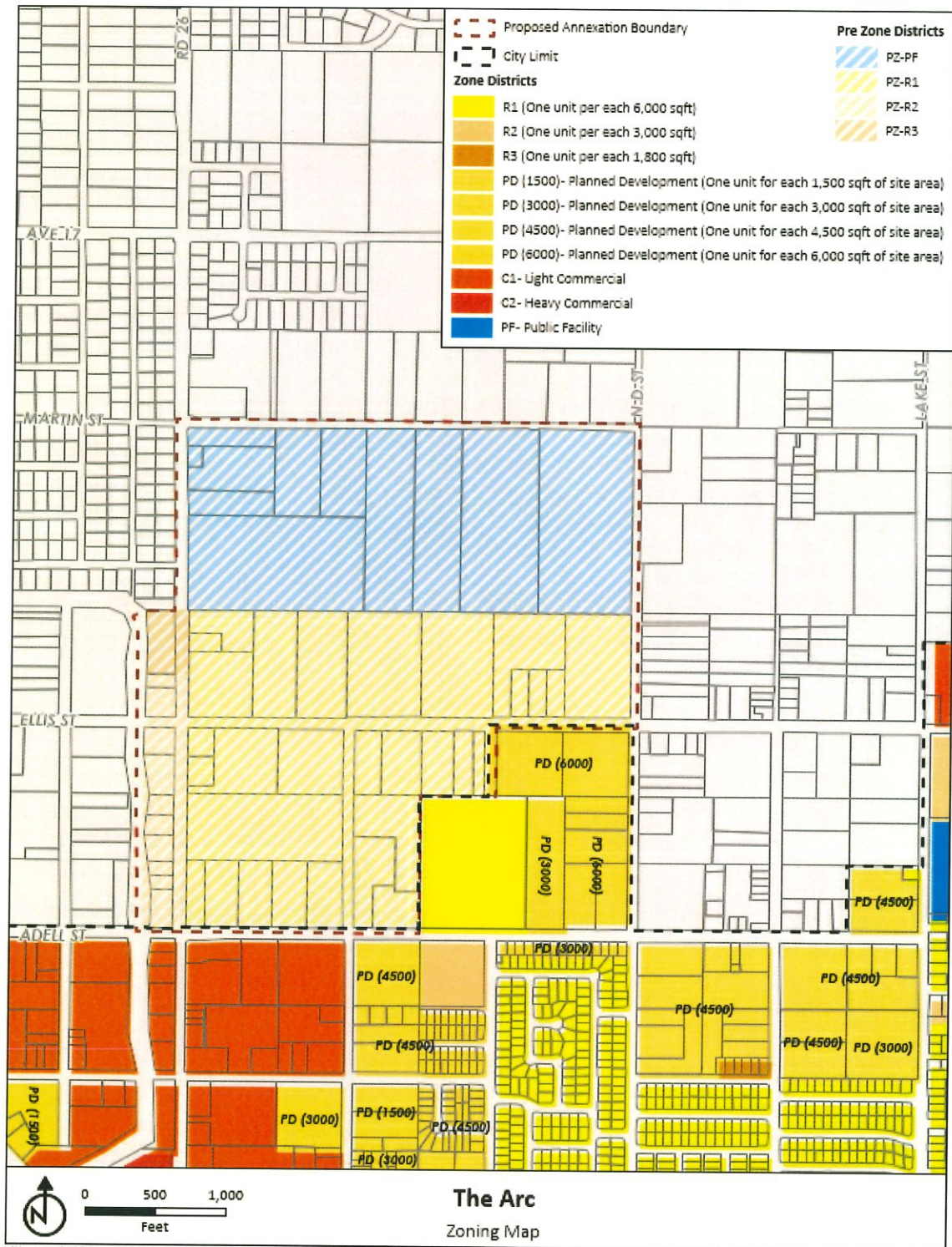


EXHIBIT F

Exhibit "B" Proposed Prezoning (REZ 2022-02)





**COUNTRY CLUB DRIVE/MARTIN
(ARC) ANNEXATION 2023-01**

Property Zone District and Land Use

APN	ACREAGE	MADERA COUNTY ZONE DISTRICT	MADERA CITY GENERAL PLAN LAND USE DESIGNATION	LAND USE
038-010-018	0.36	AR-5	P&SP	MUSD – School
038-010-019	4.10	AR-5	P&SP	MUSD – School
038-010-020	2.42	AR-5	P&SP	MUSD – School
038-010-021	19.33	CRM	P&SP	MUSD – School
038-010-025	16.36	AR-5	P&SP	MUSD – School
038-010-026	20.14	AR-5	P&SP	MUSD – School
038-010-029	10.10	AR-5	P&SP	MUSD – School
038-010-030	9.90	AR-5	P&SP	MUSD – School
038-010-031	4.61	AR-5	P&SP	MUSD – School
038-010-032	4.64	AR-5	P&SP	MUSD – School
038-010-033	1.82	AR-5	P&SP	MUSD – School
038-060-018	2.12	RRM	HD	Vacant
038-060-019	0.45	RRM	MD	Rural Residential
038-060-020	1.09	RRM	MD	Rural Residential
038-060-030	0.89	RRM	MD	Rural Residential
038-060-031	1.34	RRM	MD	Vacant
038-070-003	0.70	CRM	LD	Commercial
038-070-007	8.19	AR-5	LD	Rural Residential
038-070-008	5.20	AR-5	LD	Rural Residential
038-070-009	0.90	AR-5	LD	Rural Residential
038-070-010	1.00	AR-5	LD	Rural Residential
038-070-011	1.00	AR-5	LD	Rural Residential
038-070-013	1.07	AR-5	LD	Rural Residential
038-070-014	1.50	AR-5	LD	Vacant



COUNTRY CLUB DRIVE/MARTIN (ARC) ANNEXATION 2023-01

Property Zone District and Land Use

APN	ACREAGE	MADERA COUNTY ZONE DISTRICT	MADERA CITY GENERAL PLAN LAND USE DESIGNATION	LAND USE
038-070-015	2.37	AR-5	LD	Religious Facility
038-070-016	3.00	AR-5	LD	Rural Residential
038-070-017	2.01	AR-5	LD	Religious Facility
038-070-018	5.00	AR-5	LD	Rural Residential
038-070-019	5.09	AR-5	LD	Vacant
038-070-020	0.90	AR-5	LD	Vacant
038-070-021	0.90	AR-5	LD	Vacant
038-070-023	4.79	CRM	LD	Rural Residential
038-070-024	2.40	CRM	LD	Mixed Commercial
038-070-025	5.37	CRM/AR-5	LD	County Drainage Basin
038-070-026	8.08	AR-5	LD	Ezequiel Tafoya Alvarado Charter School
038-070-027	4.51	AR-5	LD	Vacant
038-070-028	1.67	AR-5	LD	Rural Residential
038-081-001	8.21	AR-5	LD	Vacant
038-100-002	11.18	AR-5	LD	Vacant
038-100-003	1.59	AR-5	LD	Rural Residential
038-100-004	2.61	AR-5	LD	Rural Residential
038-100-005	2.61	AR-5	LD	Rural Residential
038-100-006	2.61	AR-5	LD	Vacant
038-100-007	2.61	AR-5	LD	Rural Residential
038-100-008	5.15	AR-5	LD	Vacant
038-100-009	3.00	AR-5	LD	Sherman Thomas Charter Sch
038-100-010	1.95	AR-5	LD	Sherman Thomas Charter Sch



**COUNTRY CLUB DRIVE/MARTIN
(ARC) ANNEXATION 2023-01**

Property Zone District and Land Use

APN	ACREAGE	MADERA COUNTY ZONE DISTRICT	MADERA CITY GENERAL PLAN LAND USE DESIGNATION	LAND USE
038-110-023	0.55	RRM	MD	Rural Residential
038-110-024	0.64	RRM	MD	Rural Residential
038-110-025	0.84	RRM	MD	Vacant
038-110-026	0.41	RRM	MD	Rural Residential
038-110-027	0.34	RRM	MD	Rural Residential
038-110-028	1.00	RRM	MD	Vacant

RRM = Rural Residential Multi-Family
 CRM = Commercial Rural Median
 AR-5 = Ag Rural 5-Acre

HD = High Density Residential
 MD = Medium Density Residential
 LD = Low Density Residential
 P & SP = Public and Semi-Public



**COUNTRY CLUB DRIVE/MARTIN
(ARC) ANNEXATION 2023-01**

Property Information

APN	PROPERTY OWNER	ACREAGE	ASSESSED VALUE OF PROPERTY	NUMBER OF REGISTERED VOTERS
038-010-018	Madera Unified School District	0.36	n/a	
038-010-019	Madera Unified School District	4.10	n/a	
038-010-020	Madera Unified School District	2.42	n/a	
038-010-021	Madera Unified School District	19.33	n/a	
038-010-025	Madera Unified School District	16.36	n/a	
038-010-026	Madera Unified School District	20.14	n/a	
038-010-029	Madera Unified School District	10.10	n/a	
038-010-030	Madera Unified School District	9.90	n/a	
038-010-031	Madera Unified School District	4.61	n/a	
038-010-032	Madera Unified School District	4.64	n/a	
038-010-033	Madera Unified School District	1.82	n/a	
038-060-018	ARC Fresno/Madera Counties	2.12	\$ 346,800	
038-060-019	Concilio Olazabal De Iglesias	0.45	4,624	
038-060-020	Manuel R & Rosie H Jimenez	1.09	46,627	1
038-060-030	Inderjit Singh Trustee	0.89	134,023	
038-060-031	Inderjit Singh Trustee	1.34	152,914	
038-070-003	Edward E Campbell Trustee	0.70	435,414	
038-070-007	Enriqueta M Garcia	8.19	276,763	3
038-070-008	Michael D & Sandra K Smith	5.20	18,443	4
038-070-009	Amy Bacon	0.90	28,440	4
038-070-010	Filogonio Santiago & Isabel Perez	1.00	171,865	
038-070-011	Marcos B Cervantes	1.00	243,286	2
038-070-013	Audon Barrera	1.07	33,217	2
038-070-014	Jorge Cuevas & Marciela B Torres	1.50	55,141	



COUNTRY CLUB DRIVE/MARTIN (ARC) ANNEXATION 2023-01

Property Information

APN	PROPERTY OWNER	ACREAGE	ASSESSED VALUE OF PROPERTY	NUMBER OF REGISTERED VOTERS
038-070-015	Madera Lakes Congregation of Jehovahs Witnesses	2.37	\$ 75,082	
038-070-016	Dennis Carroll	3.00	46,561	
038-070-017	Iglesia DeDios De La Profecia Madera Inc.	2.01	53,088	
038-070-018	Janet Lim Trustee	5.00	250,208	
038-070-019	Piseth Lork Lim	5.09	281,481	
038-070-020	Jerry L & Elaine R Holiday Trustee	0.90	145,960	
038-070-021	Piseth Lork Lim	0.90	87,960	
038-070-023	Janet Gong Wong Trustee	4.79	284,910	2
038-070-024	Edward E Campbell Trustee	2.40	1,418,971	
038-070-025	County of Madera	5.37	n/a	
038-070-026	Ezequiel Tafoya Alvarado Academy	8.08	123,812	
038-070-027	ETAA Facilities LLC	4.51	200,000	
038-070-028	Herminia Garza Trustee	1.67	14,427	
038-081-001	Emile Nuemeh et al	8.21	378,628	1
038-100-002	Janet Lim	11.18	541,353	
038-100-003	Kulwant S Romana Trustee et al	1.59	237,567	2
038-100-004	Gilbert C Gallegos	2.61	100,238	
038-100-005	Sharon K Pisano	2.61	91,926	1
038-100-006	Madera Masonic Hall Assn Inc	2.61	72,799	
038-100-007	Selen Orozco	2.61	282,813	2
038-100-008	Valley West Christian Center	5.15	122,762	
038-100-009	Valley West Christian Center	3.00	50,802	
038-100-010	Valley West Christian Center	1.95	45,124	



**COUNTRY CLUB DRIVE/MARTIN
(ARC) ANNEXATION 2023-01**

Property Information

APN	PROPERTY OWNER	ACREAGE	ASSESSED VALUE OF PROPERTY	NUMBER OF REGISTERED VOTERS
038-110-023	Esther G Torres et al	0.55	\$ 54,493	
038-110-024	Ida P Gallegos	0.64	7,519	1
038-110-025	Mario N Perez & Christina N Perez	0.84	126,480	
038-110-026	Ramona Alvarez	0.41	139,740	
038-110-027	Ramona Alvarez	0.34	102,243	
038-110-028	Norma Mendoza	1.00	79,213	
	TOTAL	210.62	\$7,363,717	25

ORDINANCE NO. 1001 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING REZ 2022-02 AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO PREZONE THE APPROXIMATELY 242 ACRE "ARC ANNEXATION AREA" BOUNDED BY MARTIN STREET ON THE NORTH, NORTH D STREET ON THE EAST, SOUTH TO ELLIS STREET AND A PORTION FURTHER SOUTH TO ADELL STREET, AND WEST BY THE UNITED STATES BUREAU OF RECLAMATION CANAL AND ROAD 26

WHEREAS, The Arc Fresno/Madera Counties submitted an application for a General Plan Amendment (GPA 2022-03), Prezone (REZ 2022-02), Annexation (ANX 2022-03), Use Permit (CUP 2022-07), Site Plan Review (SPR 2022-01) and associated environmental review (ENV 2022-03) for approximately 242 acres for the purpose of constructing and operating a new Intellectual and Development Disability Center ("Project"); and

WHEREAS, annexation requires the pre zoning of all parcels subject to the annexation; and

WHEREAS, the requested REZ 2022-02 proposes to prezone the properties within the boundaries of ANX 2022-03 presently within the County of Madera in accordance to their General Plan Land Use designation pursuant to GPA 2022-03 as shown in Exhibit "A" attached hereto ("Arc Annexation Area"); and

WHEREAS, an Initial Study/Negative Declaration (IS/ND) (ENV 2022-03) was previously adopted by the City Council for the Project pursuant to the California Environmental Quality Act (CEQA), which included REZ 2022-02; and

WHEREAS, the City of Madera Planning Commission has reviewed REZ 2022-02, and adopted Planning Commission Resolution No. 1940 recommending City Council adopt the REZ 2022-02; and

WHEREAS, at the April 5, 2023 Council hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Council, and the City Council introduced this ordinance to approve REZ 2022-02; and

WHEREAS, after due consideration of all the items before it, the Council now desires to adopt this ordinance and approve REZ 2022-02.

THE CITY COUNCIL OF THE CITY OF MADERA ORDAINS AS FOLLOWS:

SECTION 1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

SECTION 2. Based on the testimony presented at its public hearing and all of the evidence in the record, the City Council finds that REZ 2022-02 i) is consistent with the General Plan goals, objectives, and policies, and will provide the required consistency between the General Plan, as amended, and zoning; ii) is consistent with the purpose of the zoning ordinance to promote and protect the public's health, safety, peace, comfort, convenience, and general welfare; iii) is necessary to promote public necessity, convenience, general welfare, and good zoning practices; iv) the project would provide open space, light, air, privacy, convenience of access, aesthetic values, protection of environmental values, and

protection of public and private improvements; v) City services are either available or can be extended to serve the area; and vi) adoption is in the best interests of the City. REZ 2022-02 shall result in the rezoning of each property within the approximately 242-acre Arc Annexation area according to its General Plan land use designation, including those amended by GPA 2022-03. Such determinations are based on the administrative record including the following:

a) **General Plan Consistency.** Under REZ 2022-02, approximately 242 acres would be rezoned according to each affected property's General Plan land use designation, including those amended under GPA 2022-03. This would create consistency with between the General Plan land use diagram and the City's official zoning map. As a result, the project is consistent with General Plan Policy LU-32, which states "zoning shall be consistent with the General Plan land use designation". REZ 2022-02 promotes consistency with the General Plan, its land use designations, and its goals and policies.

b) The prezone will promote and protect the public's health, safety, peace, comfort, convenience, and general welfare. As discussed above, REZ 2022-02 would create consistency between the General Plan and zoning. The project would promote the public welfare including providing opportunities for housing development, jobs, convenience of access, aesthetic values, protection of environmental values, protection of public and private improvements, etc.

c) **City Services.** As discussed in the Initial Study/Negative Declaration, City services are available or can be made available to serve the area. City staff has reviewed and determined that the availability of City services within the Arc Annexation area would not be a roadblock to future development of the area.

SECTION 3. Given that all of the findings can be made, the City Council approves REZ 2022-02 to prezone the Arc Annexation area, an approximately 242-acre area bounded by Martin Street to the north, North D Street to the east, to the south by Ellis Street and a portion further south by Adell Street, and to the west by the United States Bureau of Reclamation Canal and Road 26. The City Council hereby amends the City of Madera Zoning Map as illustrated in Exhibit "A", which is attached and incorporated by reference, and which indicates the segment of the City of Madera Zoning Map to be amended. To the extent not already annexed, territory annexed to the City subject to REZ 2022-02 shall be automatically added to the City's official zone map. Pre-zoning shall be recorded on the official map in the same manner as change of zoning district amendments, but shall be identified by the use of parentheses enclosing the district symbols. Such pre-zoning classification shall become effective zoning of the property at the same time that the annexation becomes effective.

SECTION 4. Based on the testimony and information presented at its public hearing, the City Council finds that the City previously prepared and adopted an Initial Study/Negative Declaration for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. The Initial Study/Negative Declaration identified that several approvals were included within the scope of the project, including a prezone and annexation. Preparation of the environmental analysis necessitated a thorough review of the proposed project and relevant environmental issues. Based on this review and assessment, the City Council finds there is no substantial evidence in the record that this project may have significant direct, indirect, or cumulative effects on the environment, and that a Negative Declaration is appropriate for this project. The City Council further finds the Initial Study/Negative Declaration was timely and properly published and noticed

as required by CEQA. As such, the City Council finds that REZ 2022-02 has been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines Section 15162, and no further action or review is required under CEQA.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 6. The City Clerk shall publish this ordinance pursuant to Government Code section 36933.

SECTION 7. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Manager and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also indicate the date of adoption of this revision and be signed by the Planning Manager and City Clerk.

SECTION 8. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

Exhibit "A" – Prezone District Map

The foregoing Ordinance No. 1001 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 5th day of April 2023 and adopted after a second reading at a regular meeting of the City Council held on 17th day of May 2023 by the following vote:

AYES: Mayor Garcia, Councilmembers Gallegos, Rodriguez, Montes, Evans, Mejia and Villegas.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

APPROVED:



SANTOS GARCIA, Mayor

ATTEST:

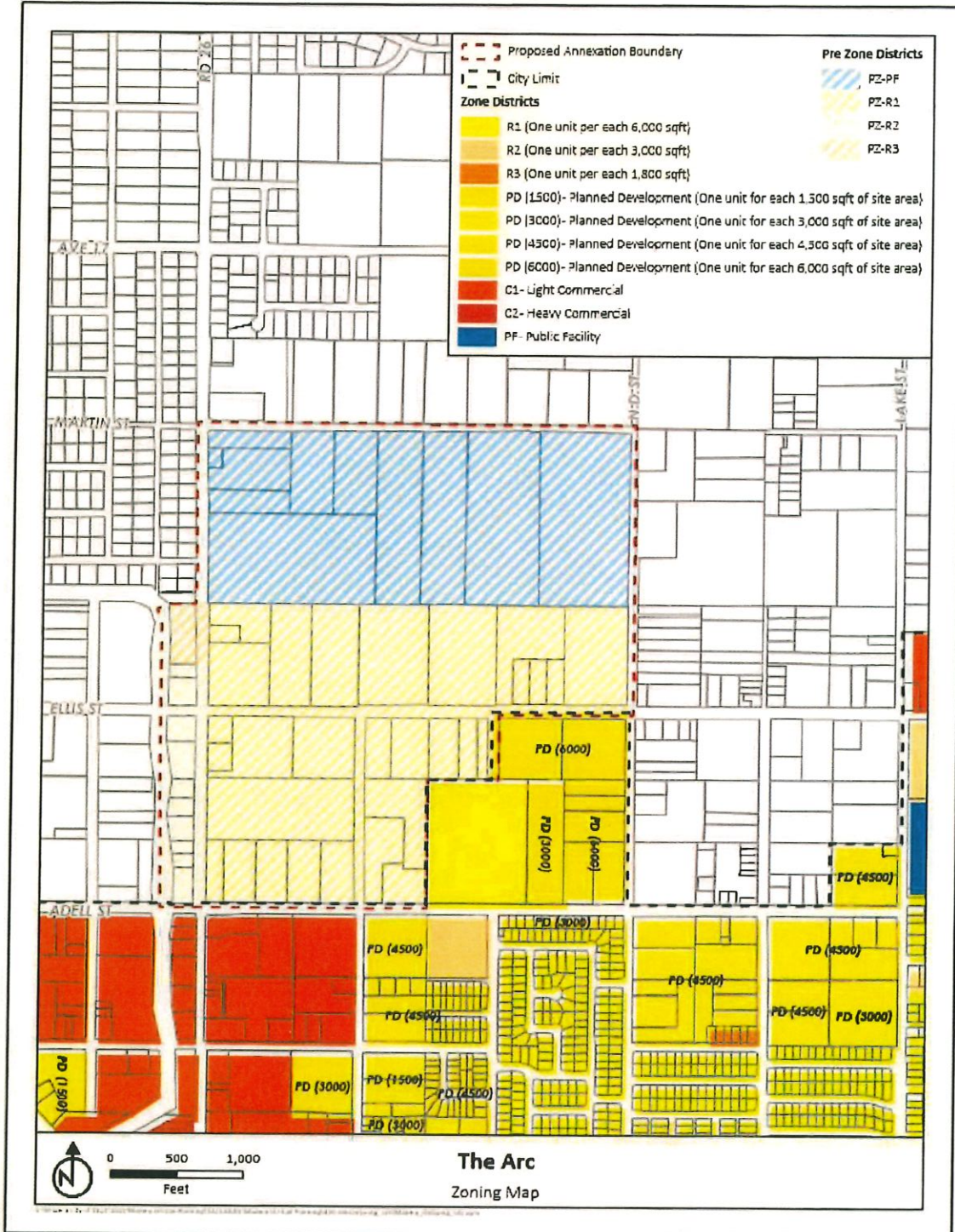


ALICIA GONZALES, City Clerk

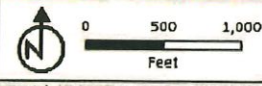


Exhibit "A"

Prezone District Map



- | | |
|--|-------|
| Proposed Annexation Boundary | PZ-PF |
| City Limit | PZ-R1 |
| Zone Districts | |
| R1 (One unit per each 6,000 sqft) | PZ-R2 |
| R2 (One unit per each 3,000 sqft) | PZ-R3 |
| R3 (One unit per each 1,800 sqft) | |
| PD (1500)- Planned Development (One unit for each 1,500 sqft of site area) | |
| PD (3000)- Planned Development (One unit for each 3,000 sqft of site area) | |
| PD (4500)- Planned Development (One unit for each 4,500 sqft of site area) | |
| PD (6000)- Planned Development (One unit for each 6,000 sqft of site area) | |
| C1- Light Commercial | |
| C2- Heavy Commercial | |
| PF- Public Facility | |



The Arc
Zoning Map

RESOLUTION NO. 23-71

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA INITIATING
ANNEXATION AND REQUESTING THE LOCAL AGENCY FORMATION
COMMISSION TO TAKE PROCEEDINGS FOR THE CHANGE OF ORGANIZATION
FOR THE ARC FRESNO/MADERA COUNTIES PROJECT
(ANNEXATION NO. ANX 2022-03)**

WHEREAS, the City of Madera desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, Government Code section 56654 provides that “[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency . . . [;]” and

WHEREAS, the specific changes of organization requested consists of annexation to the City of Madera and detachment from the County of Madera of the area known as the “Arc Annexation Area;” and

WHEREAS, the Fresno/Madera Counties Project annexation area (“Arc Annexation Area”) contains approximately 52 existing parcels containing approximately 242 acres within the City’s existing Urban Growth Boundary, and is bounded by Martin Avenue on the north, North D Street on the East, Adell and Ellis Streets on the south, and the existing United States Bureau of Reclamation Canal and Road 26 on the west (see Exhibit “A”); and

WHEREAS, the proposed annexation area is within the Sphere of Influence (SOI) and the Urban Growth Boundary of the City of Madera; and

WHEREAS, the Arc Annexation Area includes no active Williamson Act contracts;

WHEREAS, the City does not propose any specific term and conditions for the proposed reorganization; and

WHEREAS, the City will enter into an agreement with the County of Madera to comply with Revenue and Tax Code section 99 regarding property tax revenue transfer upon annexation, which agreement will include standards for the annexation as may be required by law; and

WHEREAS, the reasons for this proposed annexation is to facilitate annexation of lands to the City of Madera for purposes of facilitating development of a new Intellectual and Development Disability Center (DDC) on the Arc Development Site within the proposed annexation area; and

WHEREAS, approval of Annexation No. ANX 2022-03 would require approval of Pre-Zoning/ Rezoning No. REZ 2022-02; and

WHEREAS, the Planning Commission held a public hearing on February 21, 2023, to consider a recommendation to the City Council regarding annexation of the Arc Annexation Area; and

WHEREAS, after due consideration of all the items before it, the Planning Commission recommended the City Council initiate the annexation of the Specific Plan area; and

WHEREAS, the City Council adopted a resolution adopting the finding of a Negative Declaration (ENV 2022-03) prepared in accordance with the California Environmental Quality Act (CEQA) for the Arc Fresno/Madera Counties Project, including ANX 2022-03; and

WHEREAS, the City Council now desires to initiate annexation by approving Annexation No. ANX 2022-03.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Madera as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, the City, as the Lead Agency, has analyzed the proposed project and has prepared an initial study to evaluate the environmental effects of the Project, including the proposed annexation, resulting in a finding of a Negative Declaration (ENV 2022-03). As such, the City Council finds that the annexation and the project entitlements are specifically anticipated and assessed in the Negative Declaration, are consistent with the purpose and intent of the Negative Declaration, and identified annexation as being subject to streamlining under CEQA based on consistency with those documents. The impacts associated with the annexation was previously analyzed in the Negative Declaration. Further, the City Council finds that there is no substantial new evidence in the record that this project may have additional significant impacts that were not analyzed as significant adverse effects in the Negative Declaration. Additionally, there is no substantial new evidence of potentially significant off-site impacts and cumulative impacts that were not discussed in the Negative Declaration, and no potentially significant adverse effects peculiar to the Project. The City Council finds that there are no previously identified significant effects, which as a result of substantial new information which was not known at the time the Negative Declaration was adopted, that have a more severe adverse impact than assessed in the Negative Declaration. Furthermore, no mitigation measures or alternatives previously determined to be infeasible are now feasible. Finally, no new mitigation measures or alternatives that would substantially reduce one or more significant effect on the environment have been identified. Based upon these findings, the City Council determine that no further environmental documentation is required for this project.

3. General Plan Consistency. The City Council finds that the annexation is consistent with the goals, objectives, and policies of the Madera General Plan, as amended by GPA No. GPA 2022-03.

4. Recommendation for Approval. Based on the information provided above, the City Council of the City of Madera adopts and approves this Resolution of application, and initiates annexation for the entire Arc Annexation Area. The Local Agency Formation Commission of Madera County is requested to initiate proceedings for the change of organization of the territory, as specifically described in Exhibit "A" from the County of Madera to the City of Madera in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The City Council authorizes the City Manager to take all necessary steps to effectuate the same.

5. Effective Date of Resolution. This Resolution shall become effective immediately.

* * * * *

Exhibit A: The Arc Annexation Area – Proposed Area of Annexation.

PASSED AND ADOPTED by the City Council of the City of Madera this 17th day of May 2023 by the following vote:


AYES: Mayor Garcia, Councilmembers Gallegos, Rodriguez, Montes, Evans, Mejia and Villegas.

NOES: None.

ABSTENTIONS: None.

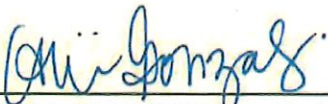
ABSENT: None.

APPROVED:



SANTOS GARCIA, Mayor

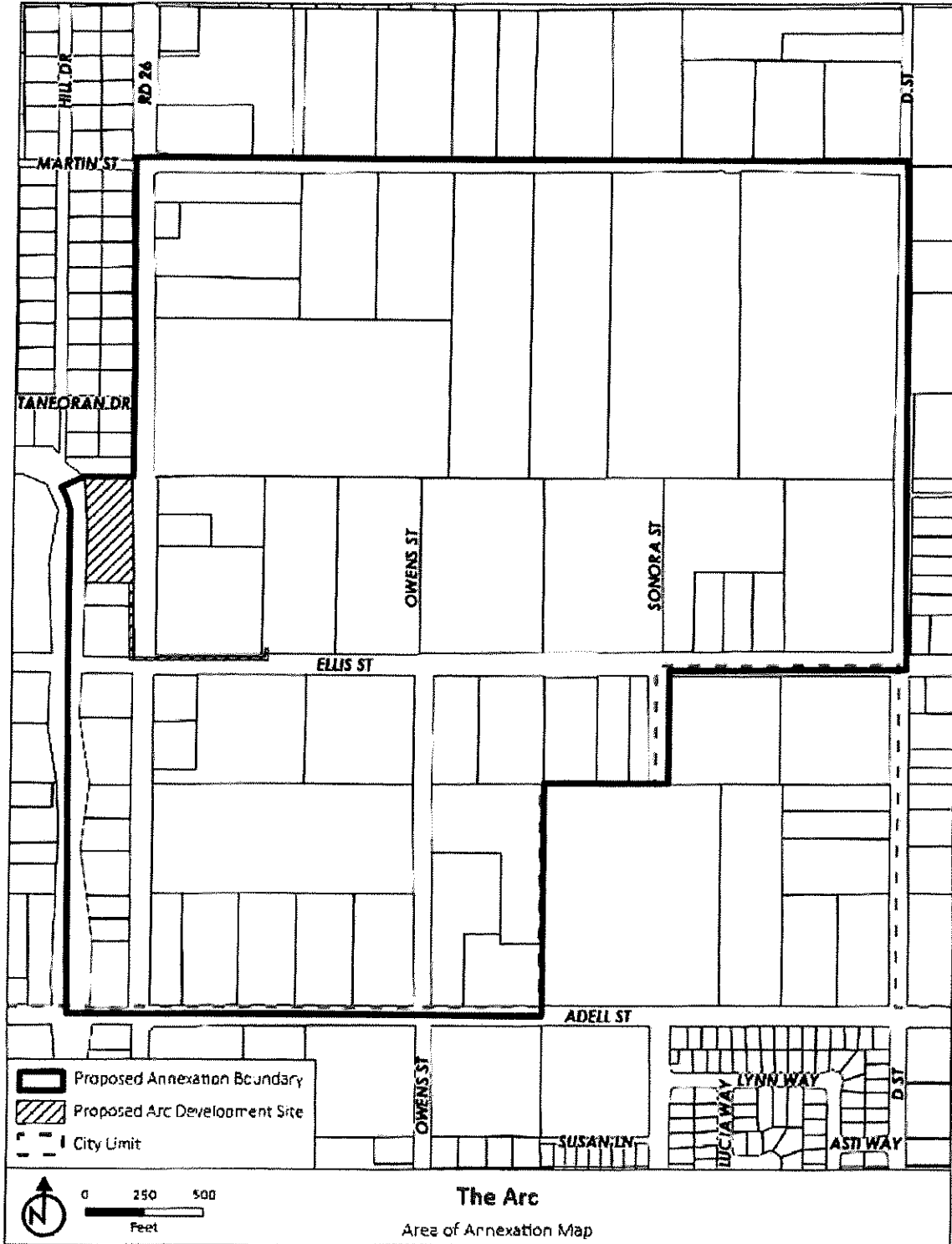
ATTEST:



ALICIA GONZALES, City Clerk



Exhibit "A" Annexation (ANX 2022-03)



APN	Acres ¹	Existing Conditions		
		City of Madera General Plan Land Use Designation	Madera County Zoning District	Use
038-010-018	0.36	P&SP	AR-5	Matilda Torres High School
038-010-019	4.10	P&SP	AR-5	Matilda Torres High School
038-010-020	2.42	P&SP	AR-5	Matilda Torres High School
038-010-021	19.33	P&SP	CRM	Matilda Torres High School
038-010-025	16.36	P&SP	AR-5	Nishimoto Elementary School
038-010-026	20.14	P&SP	AR-5	Jack G. Desmond Middle School
038-010-029	10.10	P&SP	AR-5	Matilda Torres High School
038-010-030	9.90	P&SP	AR-5	Matilda Torres High School
038-010-031	4.61	P&SP	AR-5	Matilda Torres High School
038-010-032	4.64	P&SP	AR-5	Matilda Torres High School
038-010-033	1.82	P&SP	AR-5	Matilda Torres High School
038-060-018	2.04	MD	RRM	Vacant
038-060-019	0.46	MD	RRM	Rural Residential
038-060-020	1.04	MD	RRM	Rural Residential
038-060-030	0.95	MD	RRM	Rural Residential
038-060-031	1.30	MD	RRM	Vacant
038-070-003	0.71	LD	CRM	Tire Shop
038-070-004	6.19	LD	AR-5	Rural Residential
038-070-007	8.63	LD	AR-5	Rural Residential
038-070-008	5.63	LD	AR-5	Rural Residential
038-070-009	0.98	LD	AR-5	Rural Residential
038-070-010	1.00	LD	AR-5	Rural Residential
038-070-011	1.06	LD	AR-5	Rural Residential
038-070-013	0.84	LD	AR-5	Rural Residential
038-070-014	1.48	LD	AR-5	Vacant
038-070-015	2.35	LD	AR-5	Kingdom Hall of Jehovah's Witnesses
038-070-016	2.96	LD	AR-5	Rural Residential
038-070-017	2.01	LD	AR-5	Rural Residential
038-070-018	4.90	LD	AR-5	Rural Residential
038-070-019	5.08	LD	AR-5	Vacant
038-070-020	0.84	LD	AR-5	Vacant
038-070-021	0.89	LD	AR-5	Vacant
038-070-023	4.79	LD	CRM	Rural Residential
038-070-024	2.38	LD	CRM	Mixed Commercial
038-070-025	5.37	LD	CRM/AR-5	County Drainage Basin
038-070-026	8.93	LD	AR-5	Ezequiel Tafoya Alvarado Academy
038-081-001	7.92	LD	AR-5	Vacant
038-100-002	11.87	LD	AR-5	Vacant
038-100-003	1.43	LD	AR-5	Rural Residential
038-100-004	2.54	LD	AR-5	Rural Residential
038-100-005	2.63	LD	AR-5	Rural Residential
038-100-006	2.62	LD	AR-5	Vacant
038-100-007	2.73	LD	AR-5	Rural Residential
038-100-008	4.75	LD	AR-5	Vacant
038-100-009	3.24	LD	AR-5	Sherman Thomas Charter High School

APN	Acres ¹	Existing Conditions		
		City of Madera General Plan Land Use Designation	Madera County Zoning District	Use
038-100-010	2.14	LD	AR-5	Sherman Thomas Charter High School
038-110-023	0.60	MD	RRM	Rural Residential
038-110-024	0.66	MD	RRM	Rural Residential
038-110-025	0.83	MD	RRM	Vacant
038-110-026	0.89	MD	RRM	Rural Residential
038-110-027	0.36	MD	RRM	Rural Residential
038-110-028	1.00	MD	RRM	Vacant
Subtotal	212.8	-	-	-

¹Does not include public rights of way.

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



October 12, 2023

MAD-99-1.77

ARC Annexation Project

GTS #: <https://ld-igr-gts.dot.ca.gov/district/6/report/30919>

SENT VIA EMAIL

Mr. Dave Braun, Executive Officer
Fresno Local Agency Formation Commission (LAFCO)
2607 Fresno Street, Suite B
Fresno, CA 93721
david.Braun@maderacounty.com

Dear Mr. Braun:

Caltrans has completed a review of the ARC Annexation Project which comprises 53 parcels of land and public street right-of-way consisting of approximately 242 total acres. The Arc project proposes the development and operation of a new intellectual and development disability center at 16482 Road 26.

The proposed annexation is bounded by Martin Street to the north, North D Street to the east, Adell and Ellis Streets to the south, and the USBR Canal and Road 26 to the west. The boundary is within the City of Madera's Sphere of Influence.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. The proposed project may have significant traffic impact to state highways. In order to determine if a Traffic Impact Study is required, an operational statement, trip generation data and trip distribution map should be submitted for review.

Mr. Dave Braun – Project # or Title
October 12, 2023
Page 2

2. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the County. The assessment should include the following:
 - a. Pedestrian walkways should link this Project to transit facilities, bicycle pathways and other walkways in the surrounding area.
 - b. Coordinating connections to local and regional bicycle pathways should be done to encourage further the use of bicycles for commuter and recreational purposes.
 - c. Transit service and bus stop accommodations should be extended to within ¼-mile of the Project site.
3. Caltrans **recommends** that the Project implement "smart growth" principles regarding parking solutions, providing alternative transportation choices to residents and employees. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.
4. Based on Caltrans Vehicle Miles Traveled (VMT)-Focused Transportation Impact Study Guide, dated May 20, 2020, and effective as of July 1, 2020, Caltrans seeks to reduce single occupancy vehicle trips, provide a safe transportation system, reduce per capita VMT, increase accessibility to destinations via cycling, walking, carpooling, transit and reduce greenhouse gas (GHG) emissions. Caltrans recommends that the project proponent continue to work with the City or County to implement further improvements to reduce VMT and offer a variety of transportation modes for its employees.

If you have any other questions, please call or email: Keyomi Jones, Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,



Mr. Dave Padilla, Branch Chief,
Transportation Planning – North



October 23, 2023

Gary Conte
 City of Madera
 Planning Department
 205 W. 4th Street
 Madera, CA 93637

**Project: Initial Study/Negative Declaration for The Arc Fresno/Madera Counties
 (General Plan Amendment 2022-03, Rezone 2022-02, Annexation 2022-03,
 Conditional Use Permit 2022-07, Site Plan Review 2022-12)**

District CEQA Reference No: 20230894

Dear Mr. Conte,

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Initial Study/Negative Declaration (ENV 2022-03) from City of Madera (City), for the project mentioned above. Per the ENV 2022-03, the project consists of The Arc Fresno/Madera Counties (Arc) facility for an 8,170 square foot Intellectual and Developmental Disability Center within 242 acres being annexed into the City of Madera (Project). The Project is located at 16482 Road 26, Madera, 93638.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):
<https://www.valleyair.org/transportation/GAMAQI.pdf>.

Samir Sheikh
 Executive Director/Air Pollution Control Officer

Northern Region
 4800 Enterprise Way
 Modesto, CA 95356-8718
 Tel: (209) 557-6400 FAX: (209) 557-8475

Central Region (Main Office)
 1990 E. Gettysburg Avenue
 Fresno, CA 93726-0244
 Tel: (559) 230-8000 FAX: (559) 230-8061

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

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

2) Vegetative Barriers and Urban Greening

There are residential units located north, south, and west of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

3) Clean Lawn and Garden Equipment in the Community

Since the Project consists of commercial development, gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://valleyair.org/grants/cgym-commercial.htm>.

4) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

5) Electric Infrastructure

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

6) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

6a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District

permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

6b) District Rule 9510 - Indirect Source Review (ISR)

The District has reviewed the information provided and has determined the project size is below the District Rule 9510, section 2.1 applicability threshold of 20,000 square feet for a medical office development. Therefore, District Rule 9510 requirements and related fees do not apply to the project.

6c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

The Project will be subject to District Rule 4002 since the Project will include demolition and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

6d) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/currnrules/r4601.pdf>

6e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project

proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

6f) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

7) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://www.valleyair.org/transportation/GAMAQI.pdf>

8) District Comment Letter

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

If you have any questions or require further information, please contact Ryan Grossman by e-mail at Ryan.grossman@valleyair.org or by phone at (559) 230-6569.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager



October 13, 2023

Mr. Dave Braun, LAFCO Executive Officer
200 West 4th Street, Suite 3100
Madera, CA 93637

Subject: The Arc Annexation (No. 2023-01)

Dear Mr. Braun,

The Department of Public Works received the proposed annexation #2023-01 comprised of 53 parcels of land and public right of way consisting of approximately 242 total acres. The Department is in support of the annexation with the following conditions:

1. For all public roads that are located within the proposed annexation boundary, the annexation boundary shall encompass the complete and full width of the road right of way.
2. The existing storm drain infrastructure, including pipelines varying in size and drainage inlets, that are within the proposed boundary of the annexation shall become the City of Madera's responsibility to maintain.
3. All traffic signals, road signs, and traffic control related devices on public roadways included in the annexation shall become the City of Madera's responsibility to maintain.
4. The county-owned Ellis Basin (APN 038-070-025) is within the proposed annexation boundary but would remain as a county-owned basin and would be available only for County drainage and recharge purposes and no future City development drainage, notwithstanding previous permitted City development connections to the Ellis basin. Should the City wish to utilize the Ellis basin for future City development drainage purposes, arrangement and approval from the County to do so would need to be made prior to any use or conditioning of City development to drain to the basin. At a minimum, the Ellis basin should be able to accept at least 200 AF per year of water from the County for recharge purposes. The County will retain the credit for the recharge water (which is a credit currently split with MID).

Thank you for the opportunity to review. Please feel free to contact our office if you have any questions.

Sincerely yours,

Phu Duong, Development Services Engineer
Department of Public Works – Engineering Services Division



Reorganization Required Analysis

Listed below is an outline analysis of the minimum factors that are required to be considered by LAFCO in a reorganization. The analysis of these factors below pertains to the City of Madera – Country Club Drive and Martin Street Annexation (2023-001). Factors that indicate “Some Concern” or “Significant Issue” are discussed at this end of this analysis or are referenced to sections of the corresponding Executive Officer’s Report.

56668. Factors to be considered in the review of a proposal shall include, but not be limited all of the following:

- (a) Population and population density;
land area and land use;
per capita assessed valuation;
topography, natural boundaries, and drainage basins;
proximity to other populated areas;
the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- (b) Need for organized community services;
the present cost and adequacy of governmental services and controls in the area;
probable future needs for those services and controls;
probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.
- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.
- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.
- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- (g) Consistency with city or county general and specific plans.
- (h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.
- (i) The comments of any affected local agency.
- (j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.
- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.
- (m) Any information or comments from the landowner or owners.
- (n) Any information relating to existing land use designations.
- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

Comments or Concerns and Significant Issues:

EXHIBIT O

Initial Study/Negative Declaration distributed as a separate document and also posted on the LAFCO website on the Upcoming Meeting Agenda and Document page at the following website address: <https://www.maderacounty.com/government/madera-LAFCO> .

Please refer to the separate document titled "The Arc Fresno/Madera Counties (GPA 2022-03, REZ 2022-02, ANX 2022-03, CUP 2022-07, SPR 2022-12) Initial Study / Negative Declaration (ENV 2022-03)" or to the website address link provided above.

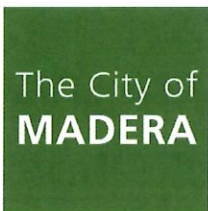
The Arc Fresno/Madera Counties

(GPA 2022-03, REZ 2022-02, ANX 2022-03,
CUP 2022-07, SPR 2022-12)

Initial Study / Negative Declaration
(ENV 2022-03)

November 2022

Prepared for:



Planning Department
205 W. 4th Street
Madera, CA 93637

BEFORE
THE MADERA LOCAL AGENCY FORMATION COMMISSION
STATE OF CALIFORNIA

In the Matter of)	Resolution No. 2024-01
)	
CITY OF MADERA)	A RESOLUTION MAKING
)	DETERMINATIONS AND APPROVING
)	THE APPLICATION OF THE CITY OF
)	MADERA – COUNTRY CLUB DRIVE
)	AND MARTIN STREET ANNEXATION
_____)	(2023-001)

WHEREAS, the City of Madera applicant, has filed a proposal for annexation (the “Proposal”) with the Executive Officer, pursuant to the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000, as amended, Government Code Sections 56000 et seq. (the “Act”); and

WHEREAS, the Proposal includes the annexation of 53 parcels, a canal, and public street right-of-way consisting of approximately 245 acres into the City of Madera; and

WHEREAS, proceedings with regard to the Proposal have been conducted in accordance with the CKH Act of 2000; and

WHEREAS, the City of Madera rezoned the subject properties on May 17, 2023; and

WHEREAS, the Commission called for and held a public hearing on the proposal on February 21, 2024; and

WHEREAS, at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to this Proposal and the report of the Executive Officer; and

WHEREAS, the Commission certifies that the Executive Officer recommended that the Initial Study/Negative Declaration (ENV 2022-03) prepared by the lead agency (City of Madera) be found to be in compliance with the California Environmental Quality Act (CEQA) and its implementing regulations and is adequate concerning this annexation.

NOW, THEREFORE, THE MADERA LOCAL AGENCY FORMATION COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

1. The annexation shall consist of 53 parcels, a canal, and public street right-of-way on approximately 245 acres as shown on Exhibit A.
2. The applicant shall cause to be prepared, to the satisfaction of the Madera LAFCO Executive Officer, such documents and legal descriptions as are deemed necessary for filing a statement of boundary change with the State Board of Equalization. Any necessary fees or costs for processing and documentation shall be paid by the applicant.
3. Pursuant to Section 99 of the California Revenue and Taxation Code, the City and County have entered into an agreement for property tax exchange and redistribution of Regional Housing Needs Allocation (RHNA).

The Regional Housing Needs Allocation (RHNA) numbers listed below are in agreement with the formula agreed to by the City and the County of Madera.

RHNA Classifications	Annexation
Very Low Income	66
Low Income	33
Moderate Income	99
Above Moderate Income	132
Total RHNA allocations	330

4. The short-term designation shall be “City of Madera – Country Club Drive - Martin Street Annexation” (2023-001).
5. Comply with the Correspondence from the California Department of Transportation dated October 12, 2023.
6. Comply with the memorandum from the Madera County Public Works Department dated October 13, 2023.
7. Comply with the memorandum from the San Joaquin Valley Air Pollution Control District dated October 23, 2023.
8. The annexation is uninhabited as defined by Government Code Section 56046.
9. The City of Madera’s Initial Study/Negative Declaration (ENV 2022-03) has been reviewed, found to be in compliance with CEQA, and considered adequate for the annexation; the adoption of this document is, therefore, justified.
10. It is the intent of the Commission to waive subsequent protest hearings and election proceedings pursuant to Government Code Section 56663.

11. Direct the Executive Officer to prepare and execute a Certificate of Completion upon receipt of required processing fees required by Section 57200 (made payable to the State Board of Equalization).

The foregoing Resolution was adopted this 21st day of February 2024 by the following vote:

Chair Young Voted: _____

Chair Pro Tem Rodriguez Voted: _____

Commissioner Ahmed Voted: _____

Commissioner Poythress Voted: _____

Commissioner Macaulay Voted: _____

Laura Young, Chair
Madera Local Agency Formation Commission

ATTEST:

David Braun
Executive Officer, LAFCO

Approved as to Legal Form:

Laurie Avedisian-Favini
LAFCO Legal Counsel