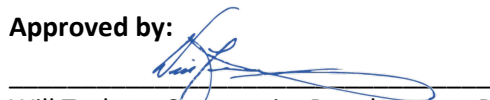
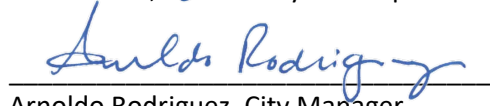


REPORT TO CITY COUNCIL

Approved by:


Will Tackett, Community Development Director


Arnaldo Rodriguez, City Manager

Council Meeting of: May 17, 2023

Agenda Number: B-12

SUBJECT:

Second Reading and Adoption of an Ordinance for the Arc Fresno/Madera Counties Project Prezone (REZ 2022-02) for Purposes of Facilitating Annexation to the City of Madera in Accordance with Annexation Application ANX 2022-03.

RECOMMENDATION:

1. Waive full reading and adopt an Ordinance of the City Council approving REZ 2022-02 amending the official City of Madera Zoning Map to prezone the approximately 242 acre "Arc Annexation Area" generally bound 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.
2. Adopt a resolution of the City Council initiating an application to the Madera Local Agency Formation Commission (LAFCo) for a change of organization of territory in accordance with Annexation ANX 2022-03.

SUMMARY:

This is the second reading of the ordinance for REZ 2022-02 which was introduced by the Council on April 19, 2023. The applicant, The Arc Fresno/Madera Counties, is requesting a General Plan amendment (GPA 2022-03), and the rezoning (REZ 2022-02) and annexation (ANX 2022-03) of approximately 242 acres for the purpose of constructing and operating a new Intellectual and Development Disability Center (IDDC) at 16482 Road 26 (Assessor's Parcel Number [APN] 038-060-018)) herein referenced as the "Arc development site." The 2.1-acre Arc development site is approximately 320 feet north of the intersection of Ellis Street and Road 26 and approximately 1,800 feet (0.35 miles) north of the City limits. See Attachments 1 and 2 for annexation boundaries and Attachment 3 for a list of affected parcels.

The proposed annexation requires a series of actions by the City and the Madera Local Agency Formation Commission (LAFCo). LAFCo is the lead agency for annexations of properties into the City. Rezoning is required as a precursor to submitting an application for annexation of the site with LAFCo. State law requires that a proposed annexation to a city must be consistent with the General Plan (GP) and the rezoning set by the city. The LAFCo process may be started following City Council adoption of the proposed ordinance to prezone the Arc Annexation Area. The LAFCo process may be initiated by a petition of either landowners, registered voters, or a City. A Resolution of the City Council must accompany a City

petition for annexation as prescribed in California Government Code 56700. An overview of the proposed project is provided in Table 1 below.

Table 1: Project Overview	
<i>Project Number:</i>	GPA 2022-03, REZ 2022-02, ANX 2022-03
<i>Applicant:</i>	Arc Fresno/Madera Counties, Inc
<i>Property Owner:</i>	Various
<i>Location:</i>	North of existing City limits; generally bounded by an existing USBR canal and Road 26 to the west, Martin Street to the north, North D Street to the east, and Adell and Ellis Streets to the south
<i>Project Area:</i>	Approximately 242 acres
<i>Planned Land Use:</i>	Existing - Various (see Exhibit A of Attachment 9); Proposed - Various (see Exhibit A of Attachment 9)
<i>Zoning District:</i>	Existing – County of Madera, Various (see Attachment 4); Proposed – City of Madera, Various (see Exhibit A of Attachment 10)
<i>Site Characteristics</i>	Annexation area is a mix of undeveloped and developed parcels. Majority of the developed parcels consist of rural residential uses and existing school facilities. Non-residential uses include a County drainage ponding basin located in the central portion of the annexation area and a commercial facility located along the east side of Road 26. The largest use developed within the annexation area includes the Matilda Torres High School, Jack G. Desmond Middle School, and Nishimoto Elementary School combined campus located at the north end of the area of annexation.

BACKGROUND:

The proposed 242-acre annexation area is a mix of undeveloped and developed parcels. A majority of the developed parcels consist of rural residential uses and existing school facilities. Non-residential uses include a County drainage ponding basin located in the central portion of the annexation area and a commercial facility located along the east side of Road 26. The largest developed land use within the annexation area is the 93.13-acre combined Matilda Torres High School, Jack G. Desmond Middle School, and Nishimoto Elementary School campus located at the north end of the area of annexation (see Attachment 2). The proposed annexation area is generally surrounded by unincorporated property composed of commercial uses and single-family residences to the west, single family residential uses to the north and east. Lands to the south, within the City limits which form the southern boundary of the annexation area, are comprised of a mix of commercial developments, vacant lands, and rural and urban residential properties, as well as a portion of the Sherman Thomas school campus.

As an area currently outside the jurisdiction of the City, zoning and development entitlements for properties located within the proposed annexation area currently fall under the jurisdiction of the County of Madera. Current County zoning districts for the affected annexation properties are shown in Attachment 4. Table 2 below summarizes the existing development/uses, and the General Plan land use designations and zoning districts surrounding the proposed annexation area. The General Plan designations identified in Table 2 represent the City's General Plan land use designations surrounding the proposed annexation area. The zoning districts identified in Table 2 include both City and County zone district based on where the annexation boundary abuts the existing City limits or unincorporated property.

Table 2: Bordering Site Information			
<i>Direction</i>	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zone District</i>
<i>North</i>	Residential	Low Density Residential	AR-5 (County)

Table 2: Bordering Site Information			
<i>East</i>	Residential	Low Density Residential	AR-5, RRS (County)
<i>South</i>	Residential, Commercial Businesses, Sherman Thomas Charter School	Low Density Residential, Medium Density Residential, Office, Commercial	RRM (County) PD (6000), PD (4500), R1, C1 (City)
<i>West</i>	USBR Canal, Commercial Businesses	Resource Conservation/Agriculture, Low Density Residential, Commercial	MHA, OS, CRM (County)
CRM – Commercial, Rural, Median (County) MHA – (Overlay) Manufactured Housing Architectural Review Overlay (County) RRM – Residential, Rural, Multiple Family (County) OS – Open Space (County) RRS – Residential, Rural, Single Family (County) PD (6000) – Planned Development (One Unit per each 6,000 sf of site area) PD 4500 – Planned Development (One Unit per each 4,500 sf of site area) R1 – (One Unit per each 6,000 sf) C1 – Light Commercial			

General Plan Amendment 2022-03

GPA 2022-03 proposes to amend the Arc development site's (APN 038-060-018) General Plan land use designation from MD (Medium Density Residential) to HD (High Density Residential) to enable the proposed IDDC to be constructed and operate on the Arc development site. GPA 2022-03 also proposes to amend the General Plan land use designation of the southern five acres of the Jack G. Desmond Middle School site (APN 038-010-026) from OS (Open Space) to P&SP (Other Public & Semi-Public Uses) consistent with the land use designation of the northern portion of the school site. See Exhibit A of Attachment 9 for the City of Madera existing and proposed General Plan Land use designations for the Arc development site and affected annexation area.

Prezone 2022-02

The project site is currently outside the City limits. Current zoning of the project site is subject to the County of Madera. The County has zoned the majority of annexation area property AR-5 - Agricultural Rural, Five Acre) District. Properties between Road 26 and the USBR canal are zoned RRM – Residential, Rural, Multiple Family District. The southwest section of the Matilda Torres High School site and the properties immediately south of the High School, adjacent to Road 26 and the northern one-third of the County's drainage basin south of the High School are zoned CRM – Commercial, Rural, Medium District (see Attachment 4).

The proposed annexation area must be prezoned before an annexation request can be filed with LAFCo. Pursuant to Government Code Section 65859(a), "[A] city may, pursuant to this chapter, prezone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the city. The zoning shall become effective at the same time that the annexation becomes effective."

The City is required to ensure a prezone request is consistent with the General Plan. REZ 2022-02 proposes to prezone the Arc development site to R3 (One unit per each 1,800 square feet (sf)) and prezone the Jack G. Desmond Middle School PF (Public Facilities) consistent with the land use amendments proposed under GPA 2022-03. The remaining properties to be annexed into the City as a part of the project would be prezoned as well, consistent with the respective City's General Plan land use designation assigned to those

individual properties. The proposed rezoning districts for the affected annexation properties are shown in Exhibit A of Attachment 10.

Annexation 2022-03

ANX 2022-03 proposes to annex the 2.12-acre Arc development site and 51 additional parcels, representing approximately 242 acres combined, into the City, consistent with LAFCo's request to define and establish a logical annexation territory pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

The proposed 242-acre annexation area is generally 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 west. A listing of all affected parcels is included as Attachment 3. Please note, where Road 26 enters the City limits, it is identified as Country Club Drive. Road 26 within the limits of the annexation area would be renamed Country Club Drive upon approval of the annexation by LAFCo.

The proposed annexation area is located within the City's Urban Growth Area and Sphere of Influence and is consistent with the General Plan as proposed to be amended pursuant to GPA 2022-03. The proposed development of the Arc development site would be compatible with the proposed General Plan land use designation for the Arc development project site as proposed pursuant to GPA 2022-03 and the surrounding area. On this basis, the Planning Commission (Commission) has made the necessary findings determining the proposed project is consistent with the General Plan.

City Council (Council) approval of ANX 2022-03 would initiate the request to LAFCo to undertake proceedings for the Arc Annexation. If the Council approves the project entitlements, LAFCo will review and take action on the proposed annexation. If the annexation is approved by LAFCo, a certificate of completion will be issued, which would make the annexation effective 30 days after approval. At that time, Road 26 within the limits of the annexation area would be renamed Country Club Drive.

Plan of Services

The proposed annexation area has already experienced some urban development and City improvements, and is planned for development by the City's Master Sewer, Water and Transportation/Circulation Plans. 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, and Road 26 (Country Club Drive) south of Adell Street. City water and sewer improvements serve the 93.13-acre combined Matilda Torres High School, Jack G. Desmond Middle School, and Nishimoto Elementary School campus.

The annexation area also includes previously developed storm drainage infrastructure. Both Road 26 and Ellis Street contain storm drain inlets within the annexation area that presently drain to an existing County Drainage basin located approximately 600 feet east of the Road 26 and Ellis Street intersection. This basin collects storm runoff from the surrounding area. City water, sewer, and storm drainage infrastructure would be extended, consistent with City standards, as development occurs within the annexation area.

Fire, emergency, medical, and police protection services for the annexation area are presently provided by the County of Madera and augmented through contracts and agreements with other agencies and service providers, including the City of Madera. The County of Madera has a contract with CalFire to provide management and staffing of the County's fire stations and equipment. Madera City Fire Station 58 is located approximately 1.20 miles to the southwest of the Arc annexation area and Madera County Fire Station 1 is located approximately 2.75 miles to the southeast of the Arc annexation area. The

annexation would place the area under the jurisdiction of City services; however, the existing mutual agreement would allow for County services to respond to emergency events within the annexation area.

ENVIRONMENTAL REVIEW:

The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The City prepared an initial study and, on that basis, determined that the proposed project will not have significant adverse effects on the environment and that a Negative Declaration could be prepared. See Attachment 5 for The Arc Fresno/Madera Counties Initial Study/Negative Declaration. The Initial Study/Negative Declaration (IS/ND) was published for a 30-day public review and comment period commencing on November 19, 2022, and ending on December 19, 2022. Comments were received from the California Highway Patrol (CHP), Pacific Gas & Electric Company (PG&E), Madera Irrigation District (MID), Caltrans, and the San Joaquin Valley Air Pollution Control District (SJVAPCD). See Attachment 6 for comment letters received.

Comments from CHP and PG&E indicated that the project would not have an impact on their facilities. MID also indicated that the project would have no impact and that the canal abutting the Arc development site to the west was owned by the USBR and operated by MID.

Comments from Caltrans stated that the construction and the operation of the Arc facility would not have an impact on their facilities; however, the overall annexation area may have an impact. Caltrans requested that a traffic analysis be completed analyzing the impact of development planned throughout the annexation area according to each parcel's rezoning designation. Based on a subsequent meeting between Caltrans and the City on January 19, 2023, Caltrans subsequently retracted the request for a traffic analysis to be completed in association with the project. The retraction was based on the mutual understanding the land use intensity within the annexation area was not going to increase beyond what is anticipated in accordance with the General Plan as a result of the project; and, any attempts at such analyses, beyond the scope of analyses performed for purposes of the General Plan, would be too speculative at this time. There are two sites that would experience a change in their land use designation as a result of the project. The first site is the Arc's property, which Caltrans confirmed would not require additional traffic analysis due to the size of the project. The other site undergoing a land use change is the southern five-acre portion of Jack G Desmond Middle School site (APN 038-010-026) already developed as school athletic fields. This site is currently planned as Open Space and would be amended to be planned for Other Public and Semi-Public Uses, consistent with the rest of the combined school campus. The remaining parcels within the annexation area would be rezoned to be consistent with their respective General Plan land use designation, remaining consistent with their currently planned intensity. As they develop, individual projects within the annexation area will be required to complete any applicable project specific or cumulative environmental and traffic analyses necessary for CEQA compliance based upon the timing and project proposed.

Comments from the SJVAPCD noted that neither the annexation, nor the construction of the Arc facility, would have an impact on air quality resources; however, future development within the annexation area could result in impacts to air quality resources. Individual projects within the annexation area would be required to complete any applicable environmental analyses depending on the extent of the project being proposed, including required air quality analysis.

Based on the initial study and review of all items in the record, there is no substantial evidence that this project may have a significant direct, indirect or cumulative effect on the environment. As a result, a negative declaration is appropriate for this project.

PLANNING COMMISSION REVIEW:

The Commission held a public hearing on February 21, 2023 to consider GPA 2023-03, REZ 2022-02 and ANX 2022-03. The Commission also considered the applicant's request for a use permit (CUP 2022-07) and a site plan review (SPR 2022-07), both of which are required to authorize the construction and operation of the proposed IDDC at 16482 Road 26 (Arc Development Site).

On a 7-0 vote, the Commission adopted Resolution No. 1941 recommending the Council adopt the Negative Declaration ENV 2022-03, and approve GPA 2022-03, and REZ 2022-02 (see Attachment 7). Additionally, the Commission, on a 7-0 vote, adopted Resolution No. 1940, recommending the Council initiate annexation of the proposed 242-acre annexation area (see Attachment 8). Finally, on a 7-0 vote, the Commission approved Resolution No. 1942, contingently approving CUP 2022-07 and SPR 2022-12, which would allow for the construction and operation of the IDDC. Approval of CUP 2022-07 and SPR 2022-12 are contingent on Council adopting the ENV 2022-03, approving GPA 2022-03 and REZ 2022-02, and Council adopting a Resolution initiating annexation of the 242 acres.

PUBLIC NOTICE:

Public notification consisted of posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting and publishing a notice in the local newspaper (Madera Tribune) and notification by mail to property owners within at least a 300-foot radius of the proposed annexation boundary.

FISCAL IMPACT:

The applicant paid entitlement fees in accordance with the City's adopted Master Fee Schedule to offset the costs associated with processing this General Plan amendment, annexation, prezone, site plan review, conditional use permit, and supporting environmental determination. Additional fees will be required from the Engineering and Building Departments in conjunction with final approval of civil improvement plans and building plan check and permitting. With development of the approved facility, the developer will pay development impact fees toward supporting City infrastructure and services.

ALTERNATIVES:

As an alternative, the Council may elect to:

1. Move to refer the item back to staff and/or continue the public hearing to a future Council meeting at a date certain with direction to staff to return with an updated staff report, resolution and/or ordinance.
2. Provide staff with other alternative directives.

ATTACHMENTS:

1. Vicinity Map
2. Aerial Photo
3. Affected Parcels
4. Madera County Zoning District Map
5. Initial Study/Negative Declaration (ENV 2022-03)
6. Public Comment Letters Received
 - California Highway Patrol
 - Pacific Gas and Electric Company
 - Madera Irrigation District
 - Caltrans
 - San Joaquin Valley Air Pollution Control District
7. Planning Commission Resolution No. 1941
8. Planning Commission Resolution No. 1940

9. City Council Resolution 23-38 (ENV 2022-03 and GPA 2022-03)
Exhibit "A": General Plan Land Use Map Amendments (Existing and Amended)
10. Ordinance of the City Council (REZ 2022-02)
Exhibit "A": Prezone District Map
11. Resolution Initiating Annexation for ANX 2022-03
Exhibit "A": Arc Annexation Area

ATTACHMENT 1

Vicinity Map





The Arc

Vicinity Map

ATTACHMENT 2

Aerial Photo



 Proposed Annexation Boundary
 City Limit



0 500 1,000
Feet

The Arc
Aerial Map

Nearmap Imagery

ATTACHMENT 3

Affected Parcels

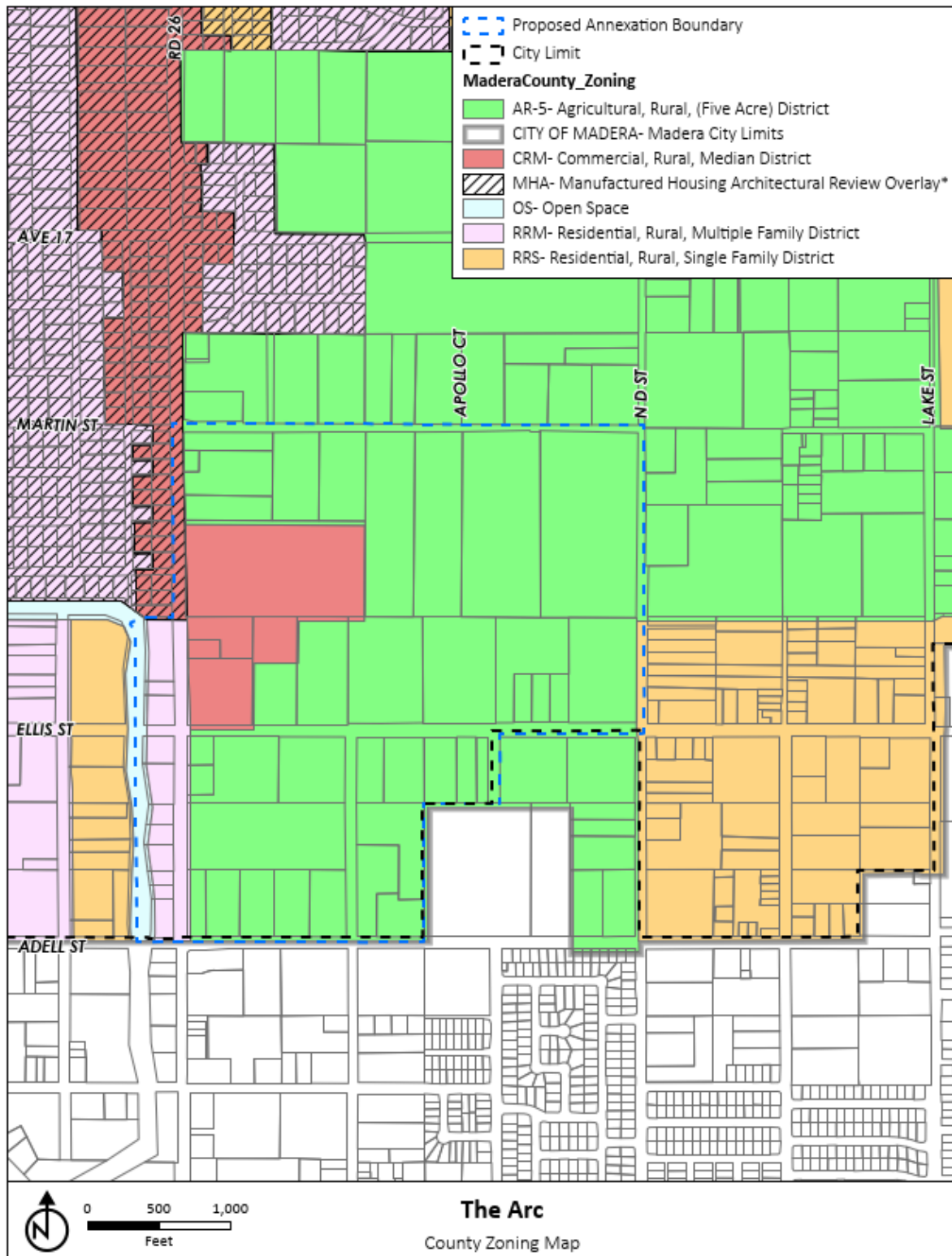
APN	Acres ¹	Existing Conditions		
		City of Madera General Plan Land Use Designation	Madera County Zoning District	Use
038-010-018	0.36	P&SP	AR-5	Matilda Torres High School
038-010-019	4.10	P&SP	AR-5	Matilda Torres High School
038-010-020	2.42	P&SP	AR-5	Matilda Torres High School
038-010-021	19.33	P&SP	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	Acres¹	Existing Conditions		
		<i>City of Madera General Plan Land Use Designation</i>	<i>Madera County Zoning District</i>	<i>Use</i>
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.

ATTACHMENT 4

Madera County Zoning District Map



ATTACHMENT 5

Initial Study/Negative Declaration (ENV 2022-03)

The Project Initial Study/Negative Declaration is posted on the City's website on the Planning Department page under Current Projects and Environmental Review at the following website address: <https://www.madera.gov/home/departments/planning/>.

A hardcopy of the Project Initial Study/Negative Declaration is also available to be viewed at the City of Madera Planning Department at 205 W. 4th Street, Madera, CA 93637 (Madera City Hall).

ATTACHMENT 6

Public Comment Letters Received

California Highway Patrol
Pacific Gas and Electric Company
Madera Irrigation District
Caltrans
San Joaquin Valley Air Pollution Control District

From: Mafana, Tatanka@CHP <TMafana@chp.ca.gov>

Sent: Wednesday, November 23, 2022 3:41 PM

To: Gary Conte <gconte@madera.gov>

Subject: General Plan Amendment 2022-03, Rezone 2022-02, Conditional Use Permit 2022-07, Site Plan Review 2022-12 and Annexation 2022-03

You don't often get email from tmafana@chp.ca.gov. [Learn why this is important](#)

Good morning/afternoon. The California Highway Patrol Madera Area has no reservations regarding the project as it will primarily impact the City. Please let me know if you need anything further.

Respectfully,

Sergeant Tatanka "Tank" Mafana, ID 19507

Madera Area

3051 Airport Drive

Madera, CA 93637

Phone: 559-507-8120



CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.



December 13, 2022

Brandi Garcia
City of Madera
205 W 4th St
Madera, CA 93637

Re: The Arc Fresno/Madera Counties
GPA 2022-03 Rezone 2022-02 CUP 2022-07 SPR 2022-12 Annexation 2022-03

Dear Brandi Garcia,

Thank you for providing PG&E the opportunity to review the proposed plans for The Arc Fresno/Madera Counties dated 11/18/2022. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

Public

From: Darren Garcia <DGarcia@madera-id.org>

Sent: Friday, December 2, 2022 7:18 AM

To: Brandi Garcia <bgarcia@madera.gov>

Subject: RE: Notice of Extension for The Arc

Morning Brandi,

No comments, see attached right-of-way that Madera Irrigation District maintains for the Bureau of Reclamation (USBR). This is deed property owned by USBR located on the west edge of the proposed Arc Project.

Thanks,

*Darren Garcia
Supervising Engineering Technician
Madera Irrigation District
559-474-0452*

Portion of Miller and Lux subdivision
of Lands in Madera.

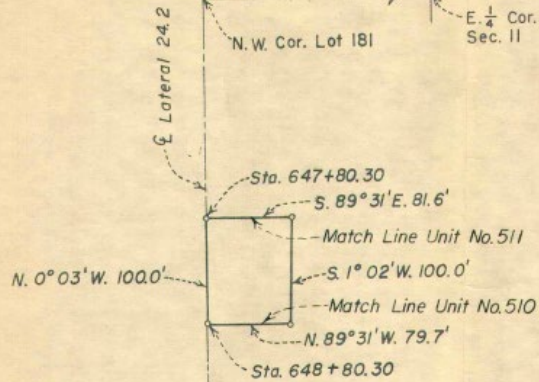


T. 11 S., R. 17 E. M. D. M.

KEY MAP

SCALE 1" = 2,000'

Deed dated Sept. 3, 1953 and recorded
Sept. 24, 1953 in Volume 591 at page
124 of Official Records, Madera
County Records.



AREA = 0.19 ACRE

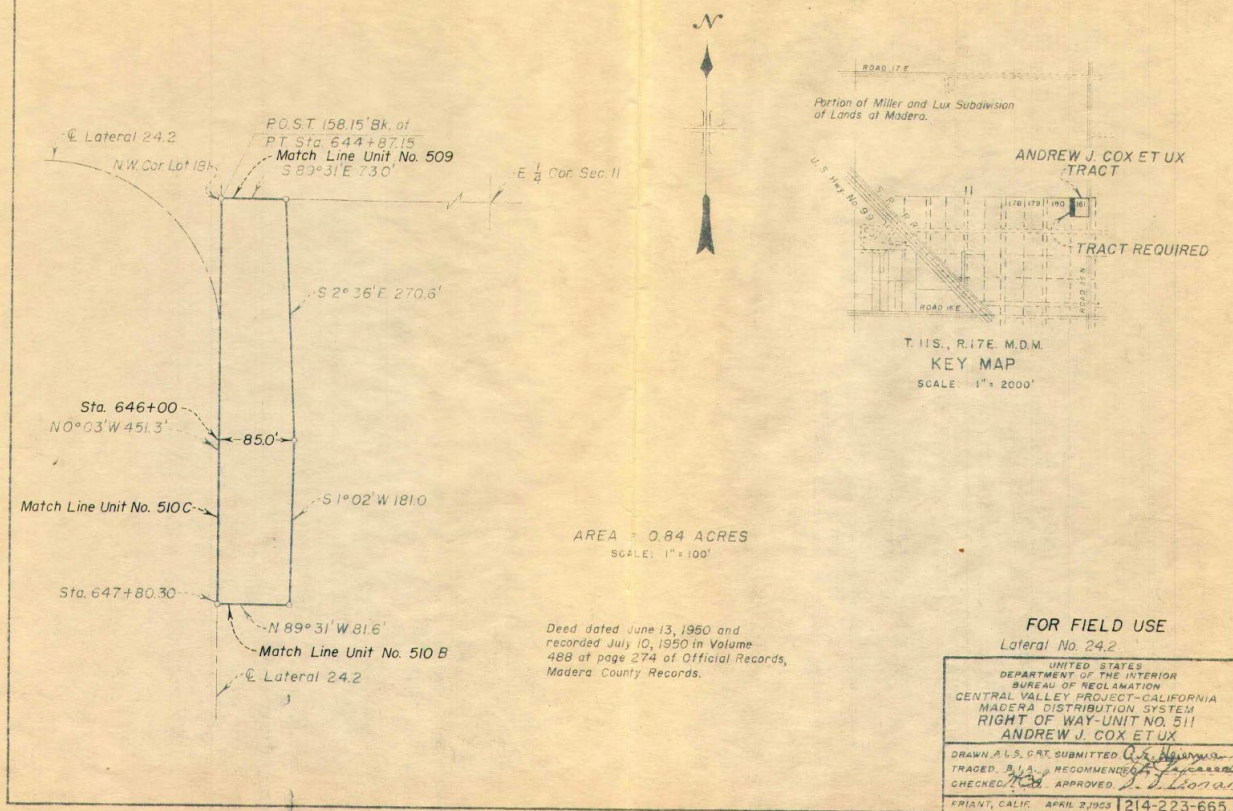
SCALE 1" = 100'

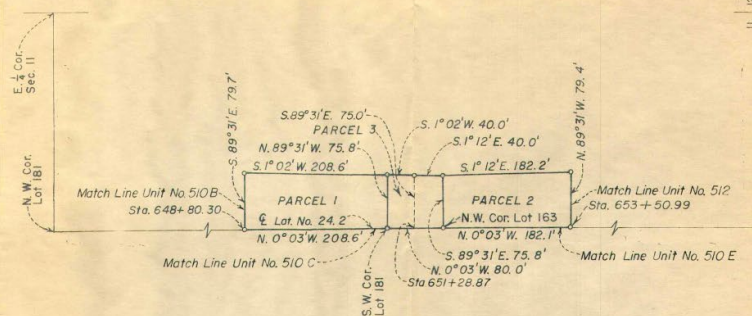
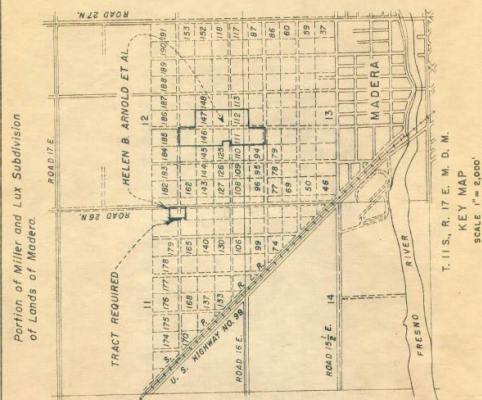
FOR FIELD USE

Lateral 24.2

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
CENTRAL VALLEY PROJECT-CALIFORNIA
MADERA DISTRIBUTION SYSTEM
RIGHT OF WAY-UNIT NO. 510B
LATINO AMERICANO INC.

DRAWN A. L. S. SUBMITTED *A. S. Hjerme*
TRACED H. L. E. RECOMMENDED *A. S. Hjerme*
CHECKED *H. L. E.* APPROVED *A. S. Hjerme*
FRIANT, CALIF. OCT. 14, 1953 214-223-714





PARCEL 1 = 0.37 ACRES
" 2 = 0.32 "
" 3 = 0.14 "
TOTAL = 0.83 ACRES

SCALE 1"=100'

FOR FIELD USE

Lateral No. 24.2

Deed dated Dec. 28, 1943 and recorded
Jan. 1, 1944 in Volume 336 at page 15
of Official Records, Madera County
Records.

REV. & RED. 10-30-53 FRIANT, CALIF.	UNITED STATES
	DEPARTMENT OF THE INTERIOR
	BUREAU OF RECLAMATION
	CENTRAL VALLEY PROJECT-CALIFORNIA
	MADERA DISTRIBUTION SYSTEM
RIGHT OF WAY-UNIT NO. 510	
HELEN B. ARNOLD ET AL	
DRAWN A. L. S. SUBMITTED <i>[Signature]</i>	
TRACED M. L. E. /2 RECOMMENDED <i>[Signature]</i>	
CHECKED <i>[Signature]</i> APPROVED <i>[Signature]</i>	
FRIANT, CALIF. APRIL 8, 1953	

214-223-664

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-1041 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



December 6, 2022

MAD-99-12.884
Notice of Negative Declaration
General Plan Amendment, Rezone, CUP, Annexation and SPR
<https://ld-igr-gts.dot.ca.gov/district/6/report/28219#39734>

SENT VIA EMAIL

Brandi Garcia – Administrative Assistant
City of Madera | Planning Department
205 West 4th Street, Madera, CA 93637
p. (559) 661.5432
bgarcia@madera.gov

Dear Mx. Garcia,

Thank you for the opportunity to review a Notice to adopt a negative declaration for the Arc Fresno/Madera Counties Project, including a General Plan Amendment 2022-03, Rezone 2022-02, Conditional Use Permit 2022-07, Site Plan Review 2022-12 and Annexation 2022-03. The 2.12-acre Arc development site is located along the west side of Road 26, north of Ellis Street. Under annexation 2022-03, the 230-acre area is generally bounded by Martin Street to the north, North D Street to the east, existing City limits to the south, and Road 26 to the west, approximately 1 mile north of the State Route (SR) 99/Cleveland Avenue interchange.

Under SPR 2022-12, the applicant, The Arc Fresno/Madera Counties, proposes to construct a new 8,170 square foot Arc facility on a 2.12-acre site. The Arc facility would serve as an Intellectual and Developmental Disability Center, providing education and other services for individuals with disabilities. GPA 2022-03 proposes amendment of the Arc development site's City General Plan Land Use designation from MD (Medium Density Residential) to HD (High Density Residential). In addition, GPA 2022-03 would also amend the southern portion (5 acres) of the Jack G. Desmond Middle School site (APN 038-010-026) from OS (Open Space) to P&SP (Other Public & Semi-Public Uses). REZ 2022-02 would prezone the Arc development site to R3 (One unit per each 1,800 sq ft). Other properties in the annexation area would be prezoned to be consistent with the City's General Plan Land Use designation applicable to the property. CUP 2022-07 would allow the operation of the Arc facility on the Arc development site. The Arc development site and 53 additional parcels are proposed for annexation to the City as a part of ANX 2022-03. The total annexation area is approximately 230 acres.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

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

1. Caltrans does not anticipate the 8,170 square foot Arc facility (CUP 2022-07) will have a significant impact to the state highway system.
2. However, the development as a whole as part of ANX 2022-03, may generate a significant number of trips based on future development. Therefore, Caltrans request a traffic analysis and/or vehicle miles traveled (VMT) study be conducted based on the proposed zoning to determine potential impacts and what improvements may be needed to mitigate. Caltrans request future project proposal(s) be submitted to our office for review.
3. Caltrans recommends the project proponent(s) implement "smart growth" principles regarding parking solutions or providing alternative transportation choices to future employees/customers/residents. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, carshare and/or ride-share programs.
4. Furthermore, Caltrans recommends the Project implement multimodal strategies, such as those that originate from Transit-oriented development (TOD). According to Office of Planning and Research (OPR) General Plan Guidelines, "TOD is a strategy may help a community achieve its general plan goals related to circulation, housing, environmental quality, and economic development. Additionally, by improving access to jobs and housing and revitalizing existing neighborhoods, TOD can be a tool for promoting environmental justice".
5. Overall, Active Transportation Plans, TOD, and/or Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.
6. As a point of information, the SR 99/Avenue 16 interchange doesn't meet the current one-mile interchange spacing distance requirement between Avenue 16 and Cleveland Avenue interchanges (Caltrans Highway Design Manual (HDM) 501.3). The Avenue 16 interchange configuration doesn't meet the current Caltrans HDM standard. A Caltrans project study report to relocate the ramps at Avenue 16 to Ellis Street overcrossing (OC) was prepared in 2003-2004, however it was not approved. The SR 99/Avenue 16 interchange would need to be removed and the Ellis Street OC would need to be reconstructed to include ramp terminus in the future.

Brandi Garcia – Administrative Assistant General Plan Amendment, Rezone, CUP,
Annexation and SPR
12/6/2022
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If you have any other questions, please call or email Edgar Hernandez at (559) 981-7436 or edgar.hernandez@dot.ca.gov.

Sincerely,



David Padilla, Branch Chief
Transportation Planning – North

December 19, 2022

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

**Project: Notice of Intent to Adopt a Negative Declaration for The Arc
Fresno/Madera Counties**

District CEQA Reference No: 20221558

Dear Mr. Conte:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Negative Declaration (ND) from the City of Madera (City) for the Arc Fresno/Madera Counties development project. Per the ND, the project consists of the development of "The Arc" Intellectual and Developmental Disability Center equating to 8,170 sq. ft. (Development) and the annexation of approximately 242 acres, a General Plan amendment, a Conditional Use Permit, and a Site Plan Review (Project). The Development is located within the proposed 242 acres to be annexed on the West side of Rd. 26 North of Ellis St. in Madera County.

The District offers the following comments regarding the Project:

1) Project Related Emissions

The Annexation will not have an impact on air quality. However, if approved, future development projects will contribute to the overall decline in air quality due to construction activities, increased traffic, and ongoing operational emissions.

Based on information provided to the District, the specific annual criteria pollutant emissions from construction and operation from the Development 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) 557-6475

Central Region (Main Office)
1980 E. Gettysburg Avenue
Fresno, CA 93728-0244
Tel: (559) 230-6000 FAX: (559) 230-6081
www.valleyair.org www.healthyairliving.com

Southern Region
34846 Flyover Court
Bakersfield, CA 93308-9725
Tel: (805) 392-5500 FAX: (805) 392-5585

1a) Construction Emissions

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

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with future development projects for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/

project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww3.arb.ca.gov/ch/handbook.pdf>.

3) Vegetative Barriers and Urban Greening

For future development projects, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

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 and students).

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 update 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.

4) Clean Lawn and Garden Equipment in the Community

Since the Development consists of commercial development, gas-powered commercial 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://www.valleyair.org/grants/cgym.htm> and <http://valleyair.org/grants/cgym-commercial.htm>.

5) 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 Development and future development projects.

6) Electric Vehicle Chargers

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.

7) 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.

7a) 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 Development 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.

7b) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes.

Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at:
www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

7c) 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 9,000 sq. ft. for an educational development. Therefore, District Rule 9510 requirements and related fees do not apply to the project.

7d) District Rule 4601 (Architectural Coatings)

The Development may be subject to District Rule 4601 since it may 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/currentrules/r4601.pdf>

7e) District Regulation VIII (Fugitive PM10 Prohibitions)

The Development 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*.

Since the Development will result in at least 1-acre in size, the Development proponent shall provide written notification to the District at least 48 hours prior to the Development proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the Development 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 Development 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

7f) Other District Rules and Regulations

The Development or future development projects 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).

8) 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>

9) 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 Jacob Torrez by e-mail at Jacob.Torrez@valleyair.org or by phone at (559) 230-6558.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager

ATTACHMENT 7

Planning Commission Resolution No. 1941

RESOLUTION NO. 1941

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA
RECOMMENDING THE CITY COUNCIL OF THE CITY OF MADERA APPROVE ENV
2022-03 (NEGATIVE DECLARATION), GPA 2022-03, AND REZ 2022-02
(PREZONING APPROXIMATELY 242 ACRES IDENTIFIED AS THE ARC
ANNEXATION AREA) FOR THE “THE ARC FRESNO/MADERA COUNTIES”
PROJECT**

WHEREAS, approval of The Arc Fresno/Madera Counties Project CUP 2022-07 and SPR 2022-12 requires the approval of GPA 2022-03, REZ 2022-02 and annexation of approximately 242 acres (ANX 2022-03); and

WHEREAS, State law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Madera (City) has adopted a Comprehensive General Plan Update and associated Environmental Impact Report, and the City is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, a proposal has been made requesting amendments to the Madera General Plan, as shown in Exhibit “A”; and

WHEREAS, the requested General Plan amendment (GPA 2022-03) consists of amendments to the General Plan Land Use Plan. The amendment would amend the land use designation of Madera County Assessor’s Parcel (APN) 038-060-018 MD (Medium Density Residential) to HD (High Density Residential) and a portion of APN 038-010-026 from OS (Open Space) to P&SP (Other Public & Semi-Public Uses); and

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

WHEREAS, the proposed 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 “B”; and

WHEREAS, the proposed General Plan amendment (GPA 2022-03) and the proposed prezoning (REZ 2022-02) will provide the required consistency between the General Plan Zoning Ordinance; and

WHEREAS, the proposed General Plan amendment and prezoning are compatible with the neighborhood and are not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, an Initial Study/Negative Declaration (IS/ND) has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3, Section 15000, et seq., and the Madera Municipal Code for The Arc

Fresno/Madera Counties Project, and for these related General Plan amendment and prezone requests; and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code; and

WHEREAS, under the City's Municipal Code and State Planning and Zoning Law, the Planning Commission (Commission) is authorized to review and make recommendations to the City Council (Council) for General Plan amendments and prezones on behalf of the City; and

WHEREAS, the City provided notice of the Commission hearing as required by law; and

WHEREAS, the Commission received and independently reviewed and considered the information contained in the IS/ND and adopted the IS/ND under a separate resolution pursuant to CEQA, and reviewed GPA 2022-03 and REZ 2022-02 at a duly noticed meeting on February 21, 2023; and

WHEREAS, at the February 21, 2023, Commission hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Commission; and

WHEREAS, after due consideration of all the items before it, the Commission now desires to adopt this Resolution recommending to the Council to adopt GPA 2022-03 and REZ 2022-02; and

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

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: The Commission finds an environmental assessment initial study was prepared 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. Preparation of the environmental analysis necessitated a thorough review of the proposed project and relevant environmental issues. Based on this review and assessment, the Commission finds there is no substantial evidence in the record that this project may have a significant direct, indirect or cumulative effect upon the environment, and that a Negative Declaration is appropriate for this project. The Commission further finds the Initial Study and Negative Declaration were timely and properly published and notices as required by CEQA. As such, the Commission recommends the Council adopt a Negative Declaration for the project by approving ENV 2022-03.
3. General Plan Findings: The Commission finds that GPA 2022-03 is consistent with the General Plan goals, policies and objectives and does not adversely affect the implementation of the General Plan with respect to surrounding properties. The Commission further recommends that the Council find that GPA 2022-03 is consistent with the General Plan goals, policies and objectives, and does not adversely affect the implementation of the General Plan with respect to surrounding properties. The project is consistent with General Plan Policy SUS-13, which states that "the City shall support the location and continued operation of local businesses that supply goods and services needed in Madera". The proposed amendment essentially consists of minor updates to the General Plan Land Use Plan while providing the Arc a location to expand their operations within the City.

4. Rezoning Findings: The Commission finds that REZ 2022-02 is consistent with the General Plan goals, policies and objectives and with the General Plan Land Use Plan as amended. The Commission further recommends that the Council find that REZ 2022-02 is consistent with the General Plan goals, policies and objectives and with the General Plan Land Use Plan as amended. The project is consistent with General Plan Policy LU-32, which states "zoning shall be consistent with General Plan land use designations". Rezoning proposed as a part of the project would be done in accordance with the existing or proposed land use designation for each parcel within the proposed annexation area.

5. Recommendation for Approval of GPA 2022-03: Based on the evidence in the record, the Commission recommends the Council approve GPA 2022-03 amending the General Plan land use designation of APN 038-060-018 from MD (Medium Density Residential) to HD (High Density Residential) and the southern portion of APN 038-010-26 from OS (Open Space) to P&SP (Other Public & Semi-Public Uses) as shown in Exhibit "A."

6. Recommendation for Approval of REZ 2022-02: Based on evidence in the record, the Commission recommends the Council approve REZ 2022-02 with GPA 2022-03, rezoning 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 "B."

7. Effective Date: This Resolution shall become effective immediately. The Secretary of the Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the Council of the City of Madera.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 21st day of February 2023, by the following vote:

AYES: Commissioner's Rohi Zacharia, Balwinder Singh, Saim Mohammad, Jose Eduardo Chavez, Bobby Sheikh, Vice Chairperson Ramon Lopez, Chairperson Robert Gran Jr.

NOES: None

ABSTENTIONS: None

ABSENT: None


Robert Gran Jr.
Planning Commission Chairperson

Attest:



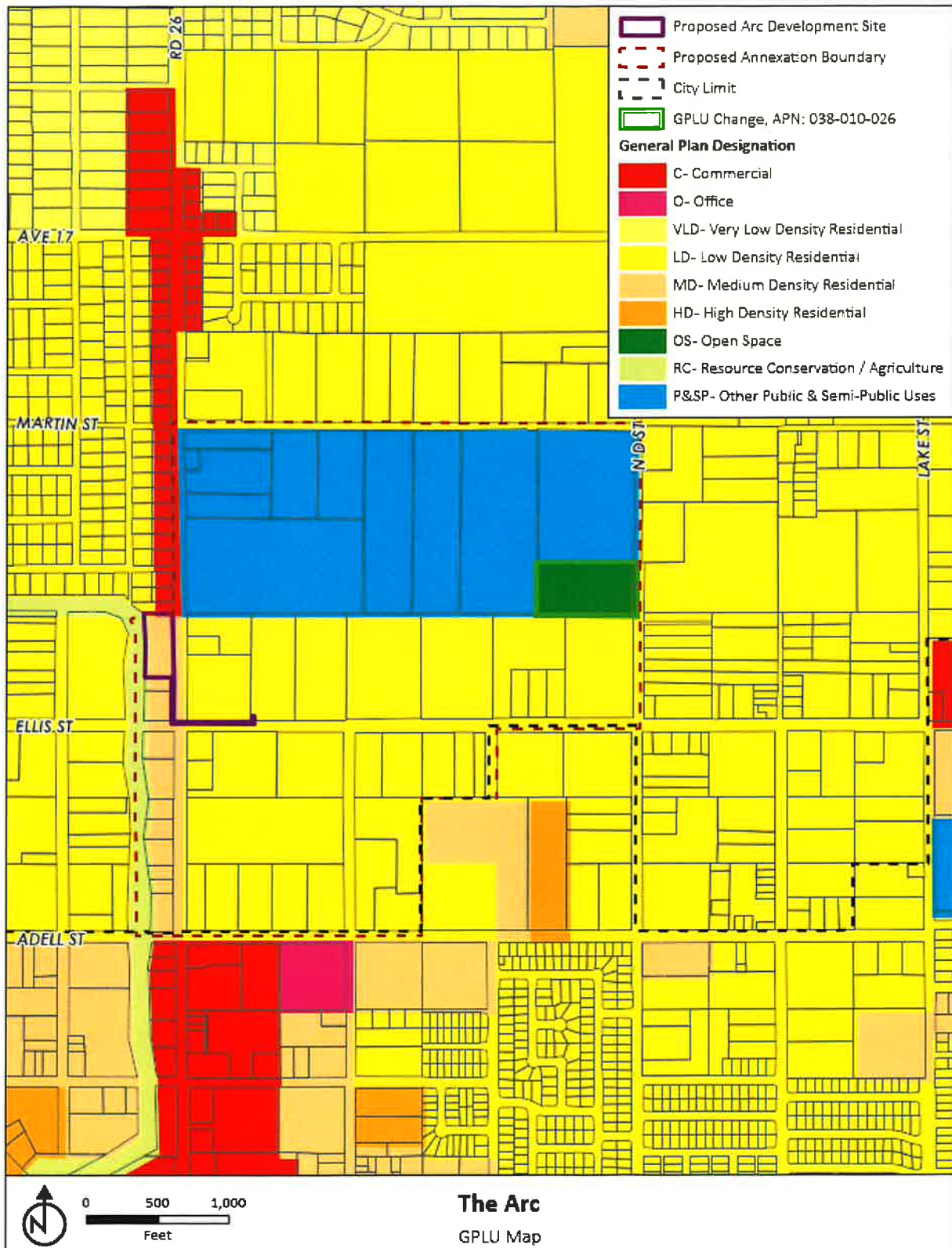
Gary Conte, AICP
Planning Manager

Exhibit "A" – General Plan Amendment (GPA 2022-03)

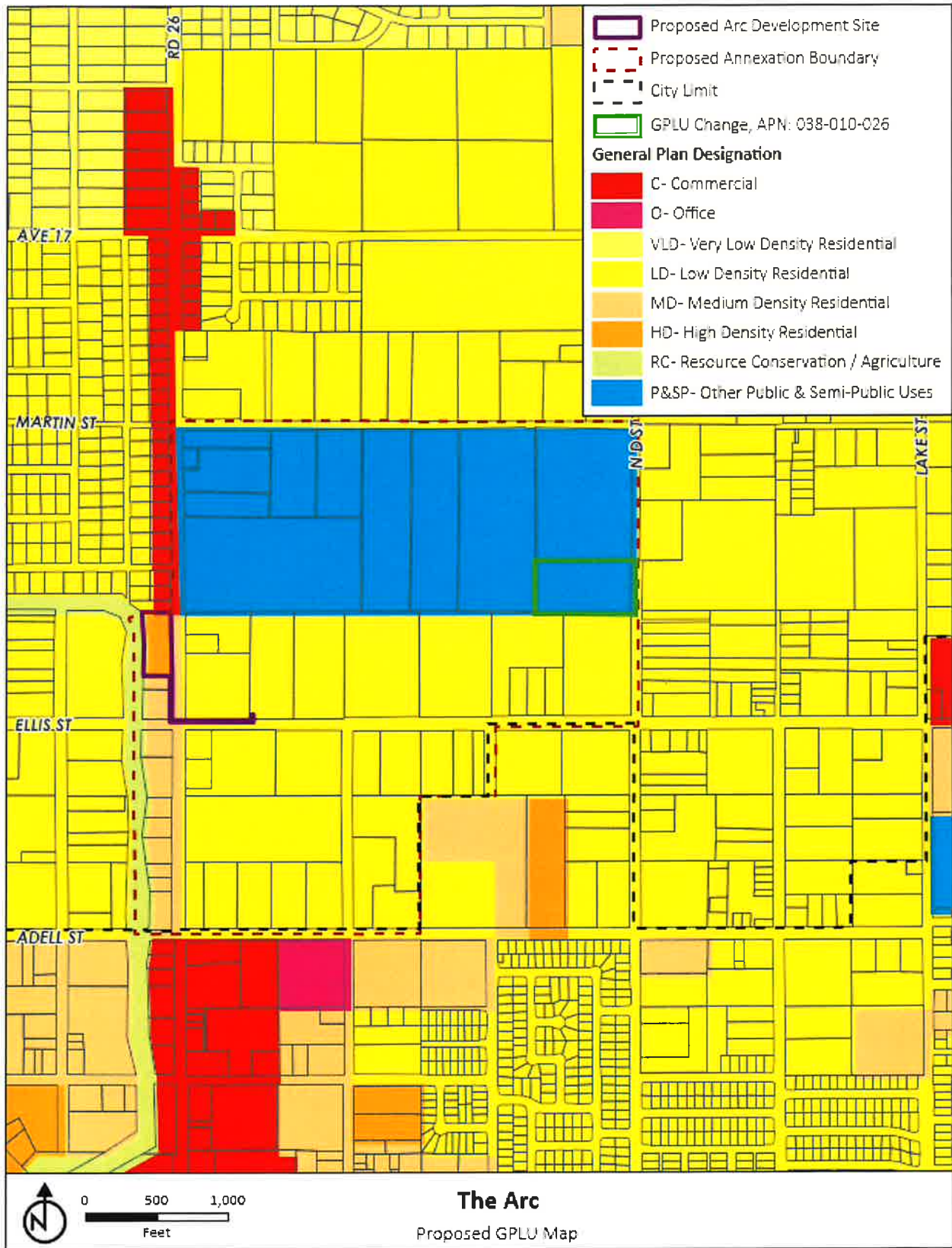
Exhibit "B" – Prezone (REZ 2022-02)

Exhibit "A" General Plan Amendment (GPA 2022-03)

Existing General Plan Land Use



Proposed General Plan Land Use



Legend:

- Proposed Annexation Boundary
- City Limit
- Zone Districts**
 - R1 (One unit per each 6,000 sqft)
 - R2 (One unit per each 3,000 sqft)
 - 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
- Pre Zone Districts**
 - PZ-PF
 - PZ-R1
 - PZ-R2
 - PZ-R3

Map Labels: RD 26, AVE 17, MARTIN ST, ELLIS ST, ADELL ST, N-D ST, LAKE ST.

Map Features: The map shows a grid of streets with various colored zones. A large blue hatched area (PZ-PF) is in the upper left. Below it is a large yellow hatched area (PZ-R1). To the right of the yellow hatched area is a large orange hatched area (PZ-R2). Further right is a large brown hatched area (PZ-R3). The map also shows several yellow areas labeled with 'PD' and a number in parentheses, indicating Planned Development zones. A red dashed line outlines a proposed annexation boundary. A north arrow and a scale bar (0 to 1,000 feet) are located in the bottom left corner.

ATTACHMENT 8

Planning Commission Resolution No. 1940

RESOLUTION NO. 1940

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA
RECOMMENDING THE CITY COUNCIL OF THE CITY OF MADERA INITIATE
ANNEXATION THE ARC FRESNO/MADERA COUNTIES PROJECT AREA
(ANX 2022-03)**

WHEREAS, the City of Madera (City) 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 consist of annexation to the City and detachment from the County of Madera of the area known as The Arc Fresno/Madera Counties Project Annexation (“Arc Annexation”); and

WHEREAS, a map of the boundaries of the territory is set forth in Exhibit “A” attached hereto and by this reference incorporated herein; and

WHEREAS, the Arc 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 is contains approximately 242 acres and contains approximately 52 existing parcels; and

WHEREAS, the Arc Annexation area is generally bound 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; and

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

WHEREAS, the reasons for this proposed annexation is to allow for the implementation of the City of Madera 2025 General Plan (Madera General Plan) adopted October 7, 2009, which was a comprehensive update to the City’s then existing General Plan, as further implemented by The Arc Fresno/Madera Counties Project; and

WHEREAS, The Arc Fresno/Madera Counties Project requires approval of General Plan Amendment (GPA) 2022-03, Prezone (REZ) 2022-02, Use Permit (CUP) 2022-07, Site Plan Review (SPR) 2022-12, and Annexation (ANX) 2022-03; and

WHEREAS, an Initial Study/Negative Declaration (IS/ND) has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3, Section 15000, et seq., and the Madera Municipal Code for the Arc Fresno/Madera Counties Project and this related annexation; and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code; and

WHEREAS, under the City's Municipal Code and State Planning and Zoning Law, the Planning Commission (Commission) is authorized to review and make recommendations to the City Council (Council) for annexations on behalf of the City; and

WHEREAS, the City provided notice of the Commission hearing as required by law; and

WHEREAS, the Commission received and independently reviewed and considered the information contained in the IS/ND and adopted the IS/ND under a separate resolution pursuant to CEQA, and reviewed ANX 2022-03 at a duly noticed meeting on February 21, 2023; and

WHEREAS, at the February 21, 2023, Commission hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Commission; and

WHEREAS, after due consideration of all the items before it, the Commission now desires to adopt this Resolution recommending to the Council initiate annexation of the Arc Annexation.

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

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: That the IS/ND for the project is adequate and has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines.
3. General Plan Consistency: The Commission finds that the annexation is consistent with the goals, objectives, and policies of the Madera General Plan, as amended by GPA 2022-03. The project is consistent with General Plan Policy LU-13, which states "The City shall support annexation of property to its boundaries for the purpose of new development only when it determines that the following conditions exist:
 - Sufficient public infrastructure, facilities, and services are available or will be provided in conjunction with new development; and
 - Demands on public infrastructure, facilities and services created by the new development will not result in reductions in capacity that is necessary to serve the existing city limits (including demand created by potential infill development), reductions in existing service levels within the city limits, or the creation of detrimental fiscal impacts on the city"

The appropriate findings have been made and as a result, the project would be consistent with the City's General Plan.

4. Recommendation for Approval: Based on evidence in the record, the Commission recommends to the Council to initiate annexation for the entire Arc Annexation area that is not within the City limits, by adopting a resolution of application requesting the Local Agency Formation Commission of Madera County to initiate proceedings for the change of organization of territory as described in Exhibit

"A", in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

5. Effective Date: This Resolution shall become effective immediately. The Secretary of the Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the Council of the City of Madera.

* * * * *

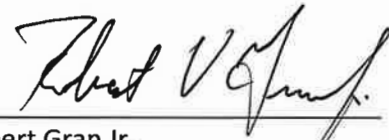
Passed and adopted by the Planning Commission of the City of Madera this 21st day of February 2023, by the following vote:

AYES: Commissioner's Rohi Zacharia, Balwinder Singh, Saim Mohammad, Jose Eduardo Chavez, Bobby Sheikh, Vice Chairperson Ramon Lopez, Chairperson Robert Gran Jr.

NOES: None

ABSTENTIONS: None

ABSENT: None



Robert Gran Jr.
Planning Commission Chairperson

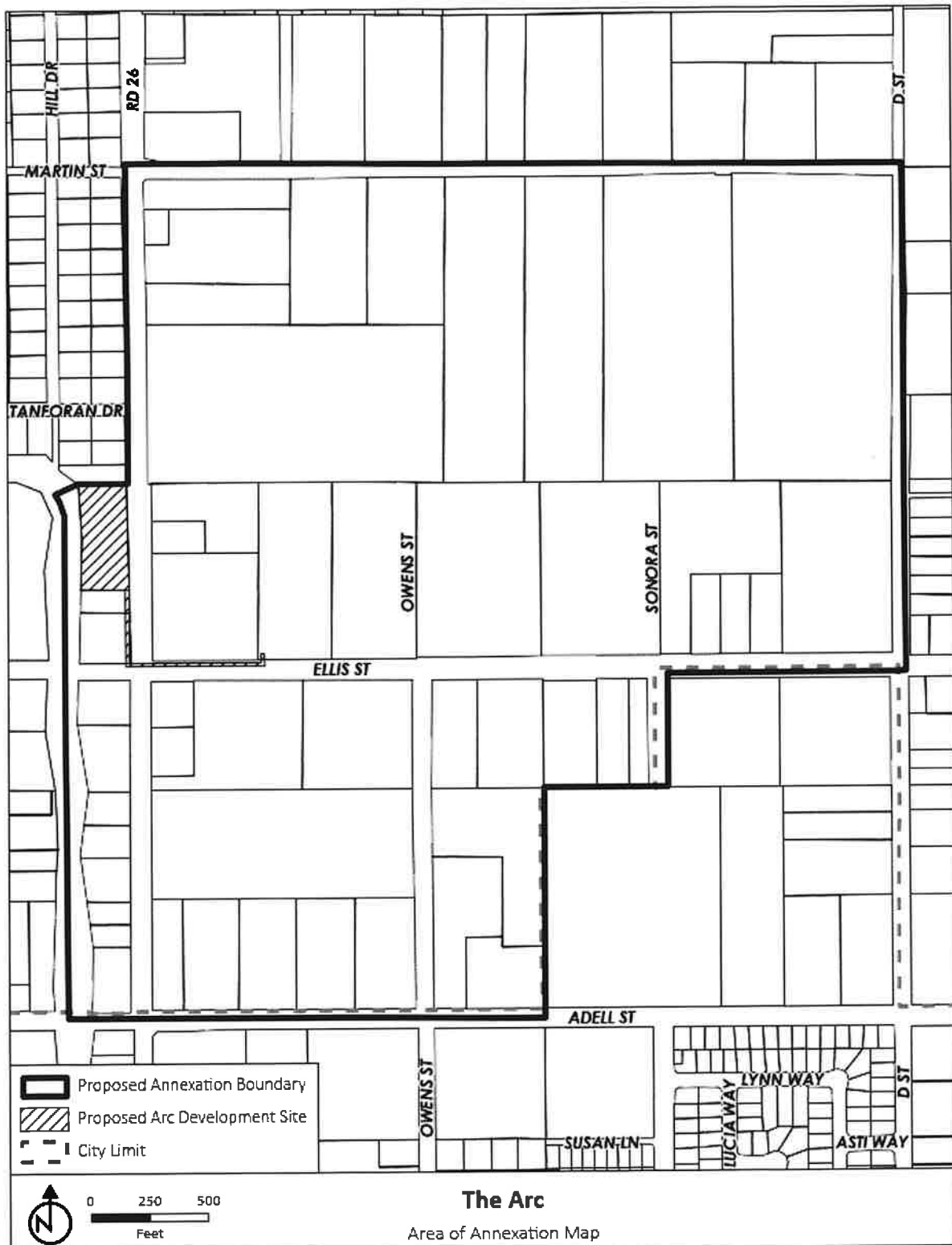
Attest:



Gary Conte, AICP
Planning Manager

Exhibit "A" – Annexation Area (ANX 2022-03)

Exhibit "A" Annexation (ANX 2022-03)



ATTACHMENT 9

City Council Resolution
(ENV 2022-03 and GPA 2022-03)

Including:
Exhibit "A": General Plan Land Use Map Amendments
(Existing and Amended)

RESOLUTION NO. 23-38

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING ENV
2022-03 (NEGATIVE DECLARATION) AND APPROVING GPA 2022-03 FOR THE
ARC FRESNO/MADERA COUNTIES PROJECT**

WHEREAS, State law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Madera (City) has adopted a Comprehensive General Plan Update and associated Environmental Impact Report, and the City is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, The Arc Fresno/Madera Counties has 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, the requested General Plan Amendment (GPA 2022-03) consists of amendments to the General Plan Land Use Plan. The amendment would amend the land use designation of Madera County Assessor's Parcel (APN) 038-060-018 from MD (Medium Density Residential) to HD (High Density Residential) and approximately 5 acres of APN 038-010-026 from OS (Open Space) to P&SP (Other Public & Semi-Public Uses) as further shown in Exhibit "A"; and

WHEREAS, GPA 2022-03 is being considered in conjunction with Prezone 2022-02 (REZ 2022-02) to provide the required consistency between the General Plan and the Zoning Ordinance; and

WHEREAS, the proposed General Plan amendment and prezoning are compatible with the neighborhood and are not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, the City of Madera, acting as the Lead Agency prepared an Initial Study/Negative Declaration (IS/ND) (ENV 2022-03) pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, sections 21000, et seq., the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3, Section 15000, et seq., and the Madera Municipal Code for the Project, including all entitlement proposed for the Project; and

WHEREAS, the IS/ND and , related Project entitlements were distributed for public review and comment to various local, state and federal agencies, and groups, and public notice of this public hearing was given by mail and published notice, in accordance with applicable State and Municipal Codes and standard practices; and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code; and

WHEREAS, under the City's Municipal Code and State Planning and Zoning Law, the City Council (Council) may take action on amendments to the General Plan and prezones on behalf of the City after review and recommendation by the Planning Commission; and

WHEREAS, the City of Madera Planning Commission has reviewed the IS/ND prepared for the project, as well as GPA 2022-03, and adopted Planning Commission Resolution No. 1941 recommending City Council adopt the Negative Declaration, and approve GPA 2022-03; and

WHEREAS, the City provided notice of the Council hearing as required by law; and

WHEREAS, the Council received and independently reviewed and considered the information contained in the IS/ND and GPA 2022-03 at a duly noticed meeting on April 5, 2023; 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

WHEREAS, after due consideration of all the items before it, the Council now desires to adopt this Resolution to adopting the IS/ND prepared for the project, as well as GPA 2022-03.

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

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: The Council finds an environmental assessment initial study was prepared 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. Preparation of the environmental analysis necessitated a thorough review of the proposed project and relevant environmental issues. Based on this review and assessment, the Council finds there is no substantial evidence in the record that this project may have a significant direct, indirect or cumulative effect on the environment, and that a Negative Declaration is appropriate for this project. The Council further finds the Initial Study and Negative Declaration were timely and properly published and notices as required by CEQA. As such, the Council adopts a Negative Declaration for the Project by approving ENV 2022-03.
3. General Plan Findings: The Council finds that GPA 2022-03 is consistent with the General Plan goals, policies and objectives and does not adversely affect the implementation of the General Plan with respect to surrounding properties. Among others, the project is consistent with General Plan Policy SUS-13, which states that "the City shall support the location and continued operation of local businesses that supply goods and services needed in Madera". The proposed amendment consists of minor updates to the General Plan Land Use Plan while providing The Arc Fresno/Madera Counties a location to expand their operations within the City.
4. Approval of GPA 2022-03: Based on the evidence in the record, the Council approves GPA 2022-03 by amending the General Plan land use designation of APN 038-060-018 from MD (Medium Density Residential) to HD (High Density Residential) and the approximately 5-acre southern portion of APN 038-010-26 from OS (Open Space) to P&SP (Other Public & Semi-Public Uses) as shown in Exhibit "A."
5. Effective Date: This Resolution shall become effective immediately.

* * * * *

Exhibit "A": General Plan Land Use Map Amendments

PASSED AND ADOPTED by the City Council of the City of Madera this 5th day of April 2023 by the following vote:

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

NOES: None.

ABSTENTIONS: None.

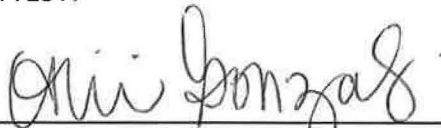
ABSENT: None.

APPROVED:



SANTOS GARCIA, Mayor

ATTEST:



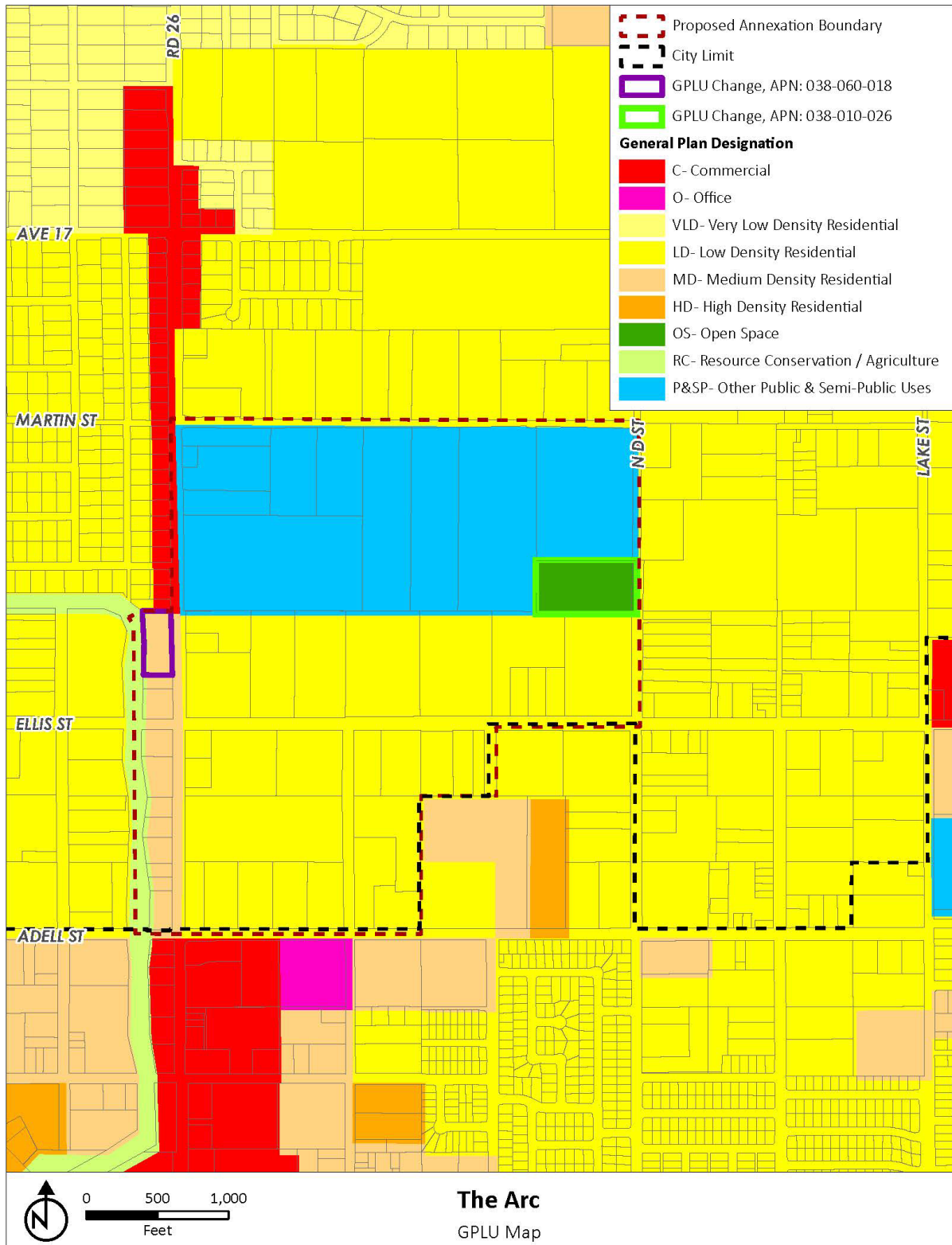
ALICIA GONZALES, City Clerk



Exhibit “A”

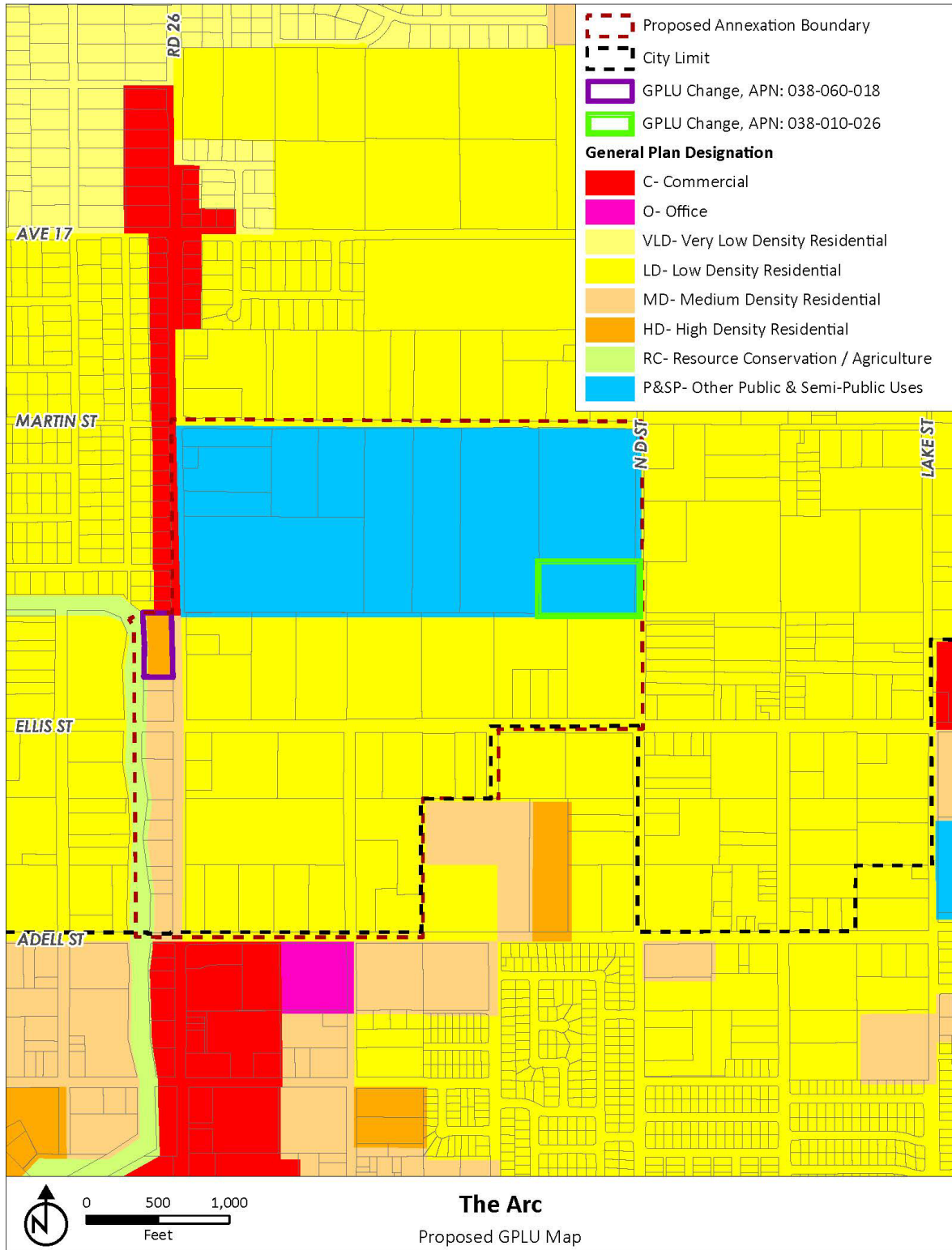
General Plan Amendment (GPA 2022-03)

General Plan Land Use Designations - Existing



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General Plan Land Use – Amended/New



ATTACHMENT 10

Ordinance of the City Council (REZ 2022-02)

Including:
Exhibit "A": Prezone District Map

ORDINANCE NO. _____

**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

Proposed Annexation Boundary

City Limit

Zone Districts

- R1 (One unit per each 6,000 sqft)
- R2 (One unit per each 3,000 sqft)
- 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

Pre Zone Districts

- PZ-PF
- PZ-R1
- PZ-R2
- PZ-R3

The map shows a grid of streets including RD 26, AVE 17, MARTIN ST, ELLIS ST, ADILL ST, and LAKE ST. Various colored areas represent different zoning districts, with some labeled with specific codes like PD (6000), PD (3000), PD (4500), C1, C2, and PF. A scale bar at the bottom indicates distances from 0 to 1,000 feet.

ATTACHMENT 11

Resolution Initiating Annexation for ANX 2022-03

Including:

Exhibit A – Arc Annexation Area

RESOLUTION NO. _____

**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:

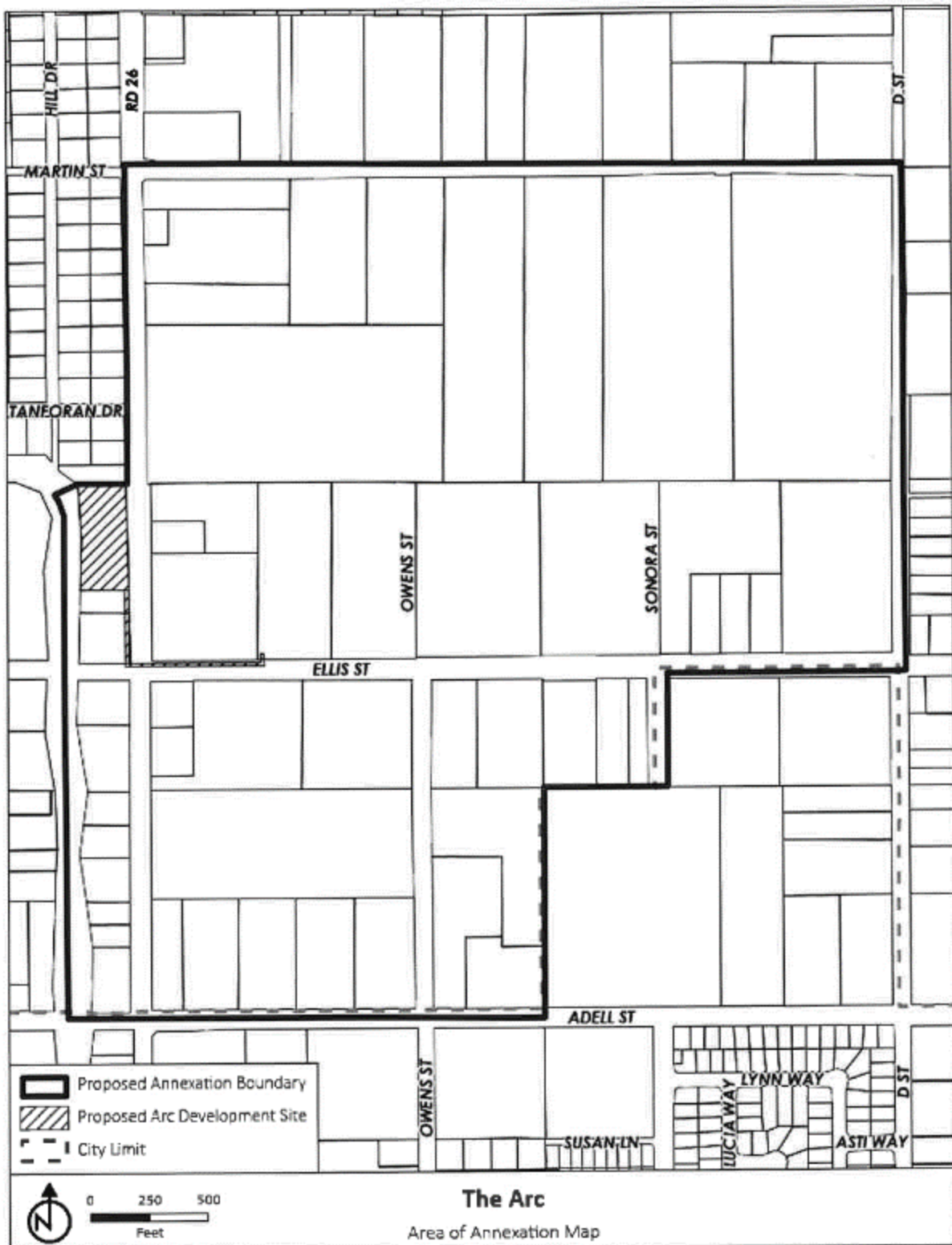
1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, the City, as the Lead Agency, has analyzed 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.

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.