

ORDINANCE NO. 1005 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA
AMENDING SECTION 8-7.08 (D) OF THE MADERA MUNICIPAL CODE TO
CHANGE UTILITY BILL PAYMENT DATES**

WHEREAS, the City of Madera has the authority to charge for utility services provided to the citizens of Madera as further described in Chapter 7 of Title VIII of the Madera Municipal Code; and

WHEREAS, Section 8-7.08 (D) of the Madera Municipal Code specifies that any unpaid utility charges are delinquent at the close of business on the 25th of the current month; and

WHEREAS, by declaring the 25th of the current month as the date by which unpaid utility charges are delinquent, the City has a de-facto due date on utility bills of the 25th of the current month; and

WHEREAS, with the growth of City utility customers, having a single due date for utility bill payments has created significant customer service challenges for payments processed in person at City Hall; and

WHEREAS, the City Council received a presentation on January 17, 2024 outlining a plan to address and improve the customer service issue by dividing the city into four “billing quadrants” and implementing different payment dates for each of those quadrants; and

WHEREAS, Section 8-7.08 (D) must be amended to allow for multiple utility payment dates;

WHEREAS, the City Council now desires to update Section 8-7.08 (D) as set forth in this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA does ordain as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.
2. Code Amendment. Subsection (D) of Section 8-7.08 of Chapter 7 of Title VIII of the Madera Municipal Code is hereby amended to read in its entirety as follows (new text is identified in ***bold italics***, deleted text in ~~strikethrough~~):

§ 8-7.08 CHARGES FOR MUNICIPAL UTILITIES

(D) *Payment.* All charges for utility services shall be due and payable on the billing date. All unpaid utility charges shall become delinquent at the close of business ~~on the 25th of the current month~~ **on either the 7th, the 14th, the 21st, or the 28th of the current month, depending on billing dates established by the Director of Finance as allowed in Section 8-7.08 (B) and at the discretion of the same. The specific due and payable date selected by the Director of Finance for each account will be identified on each unified bill. The Director of Finance may also update the specific due and payable date identified herein for any account upon 60 days prior notice to the utility customer in the unified bill.** If the delinquent date falls on a Saturday, Sunday or legal holiday, charges shall become delinquent at the close of business on the next business day after said Saturday, Sunday or legal holiday. Postmarks will not be accepted as the date the payment was received.

3. Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Madera hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact any one or more sections, subsections, clauses, or phrases be declared invalid.
4. Effective Date of Ordinance. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.
5. Posting. Within fifteen (15) days after its adoption, the City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the City of Madera and shall cause this Ordinance to be published or posted once in a newspaper of general circulation in accordance with Government Code Section 36933 as required by law.

The foregoing Ordinance No. 1005 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 7th day of February 2024 and adopted after a second reading at a regular meeting of the City Council held on 21st day of February 2024 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



ORDINANCE NO. 1006 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING
REZONE 2022-04 AND AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP
TO REZONE APPROXIMATELY 57.53 ACRES OF PROPERTY (APN[S]: 012-480-008
& 012-480-009) FROM THE R-1 (RESIDENTIAL, ONE UNIT FOR EACH 6,000
SQUARE FEET OF SITE AREA) TO THE PD-4500 (PLANNED DEVELOPMENT, ONE
UNIT FOR EACH 4,500 SQUARE FEET OF SITE AREA) ZONE DISTRICT**

WHEREAS, DMP Development Corp (“Owner”) submitted an application for a rezone (REZ 2022-04) for approximately 57.53 acres of land located on the southwest corner of the intersection of West Pecan Avenue and Stadium Road (Rd. 26½), comprising APN(s) 012-480-008 and 012-480-009, in the City of Madera, California (“site”); and

WHEREAS, the site is planned for Low Density Residential land uses in the adopted City of Madera General Plan and is currently zoned R-1 (Residential, One unit for each 6,000 square feet of site area) by the Zoning Ordinance; and

WHEREAS, the Owner is seeking approval to rezone the site to the PD-4500 (Planned Development, One unit for each 4,500 square feet of site area) zone district pursuant to REZ 2022-04; and

WHEREAS, REZ 2022-04 was filed to facilitate approval of two tentative subdivision maps (TSM 2022-01 & 2023-02) and a Precise Plan proposing to subdivide the site for purposes of creating a 317-lot single family residential planned development on the site; (collectively, the “project”); and

WHEREAS, this project was assessed in accordance with the provisions of the California Environmental Quality Act (“CEQA”) resulting in preparation of a Mitigated Negative Declaration (SCH No. 2023120574) including a Mitigation Monitoring and Reporting Program, which has been circulated, and made available for public review pursuant to CEQA and the City of Madera Municipal Code (CMC); and

WHEREAS, pursuant to the CMC, a properly noticed public hearing was held before the Planning Commission of the City of Madera (Commission) on January 16, 2024, resulting in adoption of Planning Commission Resolution No. 1975 recommending the City Council of the City of Madera (Council) adopt Mitigated Negative Declaration and mitigation monitoring and reporting program prepared for the proposed project and approve REZ 2022-04; and

WHEREAS, pursuant to the CMC, a public hearing (for amendments to zone boundaries/changes of property from one zone to another) shall be held before the City Council of the City of Madera (Council) and the Council shall adopt the amendment and Environmental Review; and

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

WHEREAS, the Council received and independently reviewed REZ 2022-04 during the duly noticed public hearing conducted at the regularly scheduled meeting of the Council on February 7, 2024; and

WHEREAS, at the February 7, 2024, public hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Council; and

WHEREAS, subsequent to the meeting, but prior to final action by the Council on this Ordinance, the Planning Commission took action to adopt a resolution adopting the Mitigated Negative Declaration (SCH No. 2023120574) and Mitigation Monitoring and Reporting Program prepared for the project, including REZ 2022-04, in accordance with the provisions CEQA; and

WHEREAS, after due consideration of all the items before it, the Council now desires to adopt this Ordinance approving REZ 2022-04.

NOW THEREFORE, be it resolved by the City Council of the City of Madera as follows:

SECTION 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

1. **SECTION 2.** CEQA: This project has been previously assessed. The City Council finds that pursuant CEQA Guidelines § 15162 subsequent environmental review is not required for REZ 22-04 based on the following:

a. No substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration due (MND) to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the Planning Commission approved the MND almost immediately prior to the adoption of this Ordinance. REZ 2022-04 is consistent with the same density, intensity, and use, and is exactly as contemplated by the MND. As such, the proposed REZ 2022-04 has the same environmental impacts assessed in the MND.

b. No substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, REZ 2022-04 is exactly consistent with the MND and specifically contemplated by it. Additionally, REZ 2022-04 allows for the implementation of the subdivision map(s) contingently approved by the Planning Commission as part of the approval of the MND, property will continue to be used for residential uses as originally contemplated by the MND, and there are no new substantial changes in the physical environment that were not anticipated in the MND, including its analysis in light of the development contemplated.

c. There is no new information, which was not known and could not have been known at the time of the previous mitigated negative declaration that the project will have significant effect not discussed in the MND. The REZ 2022-04 will not have any more significant effects than that already discussed and assessed in the MND, and was specifically contemplated by the MND. Furthermore, since a MND was previously adopted for the project, the considerations set forth in CEQA Guidelines § 15162(a)(3)(C) and (D), related to the adequacy and feasibility of previously adopted mitigation measures, are not applicable.

Based upon these findings, the City Council determines that this project has already been environmentally assessed and no further environmental documentation is required for REZ 2022-04.

SECTION 3. Findings. Based upon the record before it at the public hearing, the City Council determines the adoption of the proposed rezoning ordinance as recommended by the Planning Commission is in the best interest of the City of Madera. The City Council finds REZ 2022-04 is consistent with the City's Zoning Ordinance to promote the growth of the City in an orderly and sustainable manner and to ensure consistency with the City General Plan. The City Council hereby makes the following findings:

1. The proposed Rezone will provide the required consistency between the General Plan and zoning in accordance with Table LU-A: General Plan/Zoning Consistency of the Madera General Plan as required by General Plan Policy LU-32.

Table LU-A of the General Plan identifies General Plan Land Use Category and Consistent Zoning Districts. According to Table LU-A, the PD-4500 zone district is consistent with the Low-Density Residential Land Use designation for the site.

2. The Rezone is not expected to be detrimental to the health, safety peace, comfort, or general welfare of the neighborhood or the City.

Environmental analyses and findings prepared for the proposed project and as provided in MND (SCH No. 2023120574) considered potential environmental impacts associated with the project. Mandatory findings of significance provide the project will not result in significant environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. In addition, all required standards of the Zoning Regulations contained within the City Municipal Code will be complied with and conditions of approval will be applied to ensure the proposed project will not be detrimental to the health, safety, peach, comfort or general welfare of the neighborhood or City.

SECTION 4. Approval of REZ 2022-04. The City Council hereby approves REZ 2022-04 and hereby amends the City of Madera Zoning Map as provided for in Chapter 3 of Title X of the Madera Municipal Code as illustrated in the hereto attached Exhibit "A," which indicates the segment of the City of Madera Zoning Map to be amended.

SECTION 5. Severability. 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, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 6. Posting. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the City of Madera and shall cause this Ordinance to be published or posted in accordance with Government Code Section 36933 as required by law.

SECTION 7 Effect Date of Ordinance. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

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Exhibit "A" – Mitigation Monitoring and Reporting Program
Exhibit "B" – PD (4500) zone district

The foregoing Ordinance No. 1006 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 7th day of February 2024 and adopted after a second reading at a regular meeting of the City Council held on 21st day of February 2024 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



Chapter 5 Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Carmel Homes II & IV in the City of Madera. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 5-1 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 5-1** identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by 4Creeks to ensure that individual mitigation measures have been complied with and monitored.

Table 5-1 Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring Is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Biological Resources					
Mitigation Measure BIO-1a: <i>(Pre-construction Surveys and Construction Timing).</i> If construction is to occur between February 1 and August 31, a qualified biologist will conduct pre-construction surveys for active bird nests within 10 days prior to the start of ground disturbing activities should work commence during the nesting season (February 15 to September 15). The survey area will encompass the site and accessible surrounding lands within 250 feet for nesting migratory birds and 500 feet for raptors (i.e., birds of prey).	10 Days Prior Construction	Prior to and During Project Construction	City of Madera	Review of Documentation Submittal	
Mitigation Measure BIO-1b: <i>(Avoidance of Active Nests).</i> Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.	Prior and During Project Construction	Ongoing During Construction	City of Madera	Review of Documentation Submittal	
Cultural Resources					
Mitigation Measure CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find (within a 100-foot radius) and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on	During Construction	Ongoing During Construction	City of Madera	Review of Documentation Submittal	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.					
Mitigation Measure CUL-2: If human remains are uncovered during construction, the Madera County Coroner is to be notified to investigate the remains and arrange proper treatment and disposition. If the remains are identified on the basis of archaeological context, age, cultural associations, or biological traits to be those of a Native American, California Health and Safety Code 7050.5 and PRC 5097.98 require that the coroner notify the NAHC within 24 hours of discovery. The NAHC will then identify the Most Likely Descendent who will be afforded an opportunity to make recommendations regarding the treatment and disposition of the remains.	During Construction	Ongoing During Construction	City of Madera	Review of Documentation Submittal	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Geology and Soils					
Mitigation Measure GEO-1: In the event of accidental discovery of unidentified paleontological resources during development or ground-moving activities in the Project area, all work should be halted in the immediate vicinity (within a 100-foot radius) until a qualified paleontologist can identify the discovery and assess its significance. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique paleontological resources, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.	During Construction	Ongoing During Construction	City of Madera	Review of Documentation Submittal	
Mitigation Measure GEO-2: Should the construction crew or paleontologist uncover any bones or teeth, all construction-related activities in the immediate vicinity would be stopped until the paleontologist has assessed the find and, if deemed significant, salvaged it for	During Construction	Ongoing During Construction	City of Madera	Review of Documentation Submittal	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
deposition in a repository such as University of California Museum of Paleontology where it would be properly curated and preserved for scientific study. Any period in which construction is halted shall be kept to the minimum amount of time feasible under the circumstances. To avoid any unnecessary loss of time during construction, the City shall require the paleontologist to assess the significance of the affected resources as soon as is feasible under the circumstances. Following the completion of the above tasks, the paleontologist shall prepare a report documenting the absence or discovery of fossil resources on-site. If fossils are found, the report shall summarize the results of the inspection program, identify those fossils encountered, recovery and curation efforts, and the methods used in these efforts, as well as describe the fossils collected and their significance. A copy of the report shall be provided to the Madera Community Development Department and to the Natural History Museum of Los Angeles County.					
Hydrology and Water Quality					
Mitigation Measure HYD-1: Prior to issuance of grading permits, the Project proponent shall submit a NOI and SWPPP to the RWQCB to obtain coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity. The SWPPP shall specify and require the implementation BMPs, with the intent of keeping all products of erosion from moving offsite and into receiving waters during construction. The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended BMPs for the construction phase shall	Prior to issuance of grading permits.	Prior to Project Construction	City of Madera	Review of Documentation Submittal	

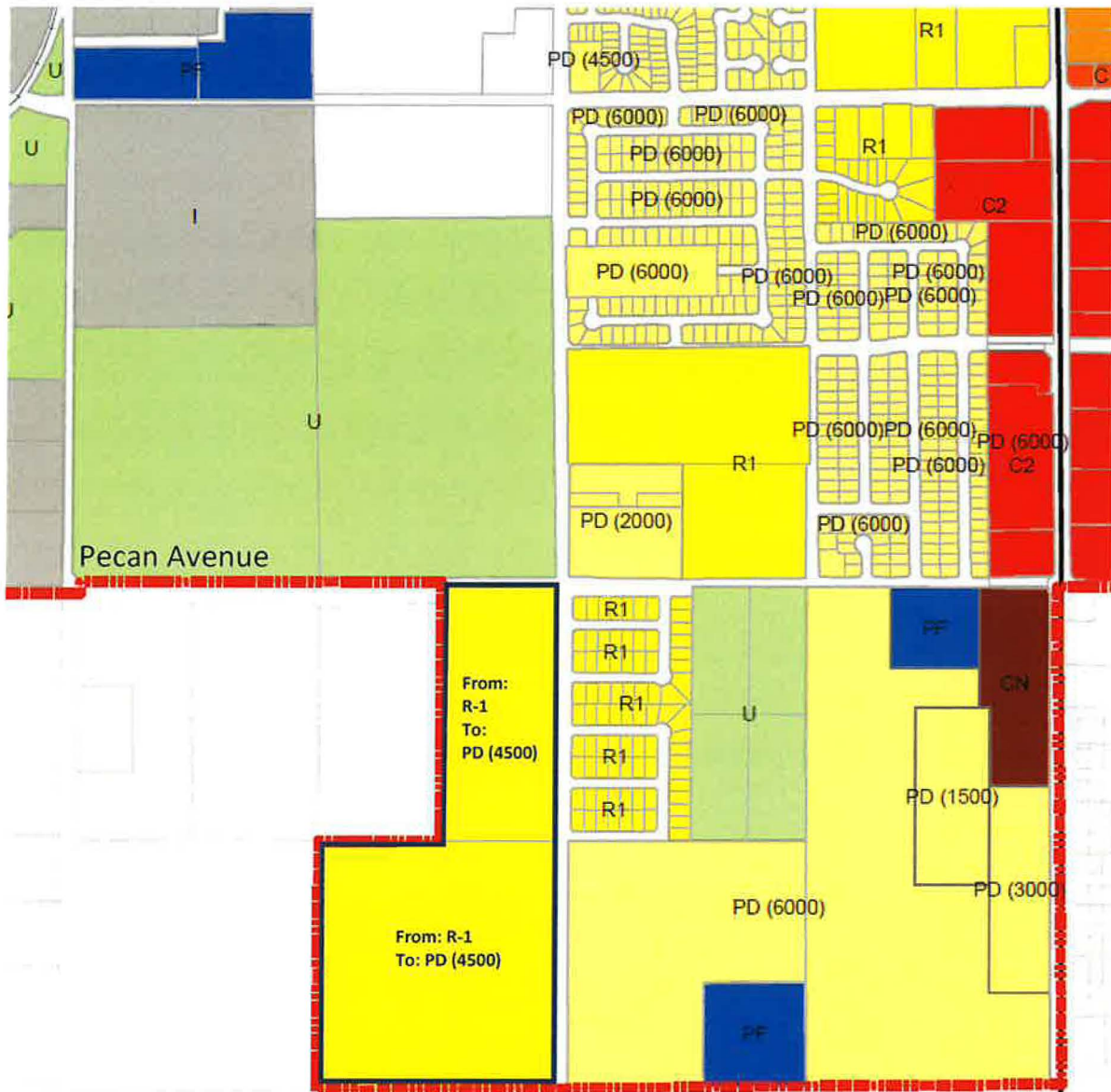
Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Stockpiling and disposing of demolition debris, concrete, and soil properly; • Protecting existing storm drain inlets and stabilizing disturbed areas; • Implementing erosion controls; • Properly managing construction materials; and • Managing waste, aggressively controlling litter, and implementing sediment controls. <p>The developer shall provide the City of Madera Engineering Division with evidence of an approved SWPPP prior to issuance of grading permits.</p>					
<p>Mitigation Measure HYD-2: Prior to issuance of grading permits, the Project proponent shall prepare a drainage plan for the Project for approval by the City Engineer that identifies postconstruction treatment, control, and design measures that minimize surface water runoff, erosion, siltation, and pollution. The drainage plan shall be prepared in accordance with the City's SWMP and California Stormwater Quality Association's Storm Water Best Management Practices Handbook as well as the City Engineer's Technical Specifications and Public Improvement Standards. During final design of the Project, the Project proponent shall implement a suite of post-construction stormwater treatment and control BMPs designed to address the most likely sources of stormwater pollutants resulting from operation and maintenance of the Project. These measures shall account for the proposed 21 acres of commercial development at the Project site. Stormwater</p>	<p>Prior to issuance of grading permits.</p>	<p>Prior to Project Construction</p>	<p>City of Madera</p>	<p>Review of Documentation Submittal</p>	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>infrastructure will be designed adhering to methods and standards described in Section E.12.e.ii.c of the SWRCB Phase II Small MS4, General Permit (Order No. 2013-0001-DWQ).</p> <p>The City Engineer may also require other necessary BMPs and design features. Incorporation of City Engineer-approved BMPs and design features into the Project design and construction documents shall ensure that operational water quality exceeds applicable water quality standards. The Project proponent shall also prepare and submit an Operations and Maintenance Agreement to the City of Madera for its approval identifying appropriate procedures to ensure that stormwater quality control measures work properly during operations.</p>					
<p>Mitigation Measure HYD-3: A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer's maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:</p>	<p>Prior to issuance of grading permits.</p>	<p>Prior to Project Construction</p>	<p>City of Madera</p>	<p>Review of Documentation Submittal</p>	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<ul style="list-style-type: none"> Runoff shall be directed away from trash and loading dock areas; Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes; Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and, Impervious berms, trench catch basin, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system. 					
Noise					
<p>Mitigation Measure NOISE-1: To mitigate noise created by stationary sounds, such as construction, the following best practices shall be implemented to reduce noise to acceptable levels:</p> <ul style="list-style-type: none"> All construction equipment shall be properly maintained and muffled as to minimize noise generation at the source. Noise-producing equipment shall not be operating, running, or idling while not in immediate use by a construction contractor. All noise-producing construction equipment shall be located and operated, to the extent possible, at the greatest possible distance from any noise-sensitive land uses. Locate construction staging areas, to the extent possible, at the greatest possible 	During Construction	Ongoing During Construction	City of Madera	Review of Conditions	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<p>distances from any noise-sensitive land uses.</p> <ul style="list-style-type: none"> Signs shall be posted at the construction site and near adjacent sensitive receptors displaying hours of construction activities and providing the contact phone number of a designated noise disturbance coordinator. 					

Exhibit "B"



- Project Site**
- City Limit**
- Zone Districts**
- RA (one unit per each 12,000 sqft)
 - R1 (One unit per each 6,000 sqft)
 - R2 (One unit per each 3,000 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
 - CH - Highway Commercial
 - CN - Neighborhood Commercial
 - PO - Professional Office
 - PF - Public Facility
 - U - Unclassified

Stadium Road



Madera Avenue

ORDINANCE 1007 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA
AMENDING SUBSECTION (C)(1) OF SECTION 2-1.21 OF CHAPTER 1 OF
TITLE II OF THE MADERA MUNICIPAL CODE AND ADOPTING REVISED
DISTRICT VOTING BOUNDARIES**

WHEREAS, in 2010 a voter-approved districting plan was adopted by Ord. 890 that established six Council districts; and

WHEREAS, on March 16, 2022, the City Council adopted Ordinance No. 988 updating the Council district boundaries based on the most recent U.S. Census; and

WHEREAS, the annexation of new territory known as “Villages at Almond Grove” (formerly the “Village D” planning area) into the City’s jurisdiction was approved by the Madera County Local Agency Formation Commission (“LAFCO”); and

WHEREAS, pursuant to California Elections Code Section 21603(A), “[i]f the boundaries of a city expand by the addition of new territory, including through annexation of unincorporated territory or consolidation with another city, the council shall add that new territory to the nearest existing council district without changing the boundaries of other council district boundaries”; and

WHEREAS, the territory for the Villages at Almond Grove annexation is immediately adjacent to District 1; and

WHEREAS, the area for the Villages at Almond Grove annexation is generally depicted in the graphic representation attached hereto as Exhibit “A”; and

WHEREAS, on November 15, 2023, at a regular City Council meeting, the City Council held a public hearing to receive public input regarding the annexation of the Villages at Almond Grove into an elections district; and

WHEREAS, on December 20, 2023, at a regular City Council meeting, the City Council held a public hearing to receive public input regarding the annexation of the Villages at Almond Grove into an elections district; and

WHEREAS, on January 17, 2024, at a regular City Council meeting, the City Council held a public hearing regarding the proposed map for the annexation of the Villages at Almond Grove into an elections district; and

WHEREAS, on February 7, 2024, at a regular City Council meeting, the City Council again held a public hearing regarding the proposed map for the annexation of the Villages at Almond Grove into an elections district; and

WHEREAS, on February 21, 2024, at a regular City Council meeting, the City Council held a public hearing regarding the proposed map annexation of the Villages at Almond Grove into an elections district, and approved a draft map regarding the same; and

WHEREAS, the City Council now desires to enact this Ordinance to annex the Villages at Almond Grove to District One.

NOW THEREFORE, the City Council of the City of Madera does ordain as follows:

SECTION 1. The above recitals are hereby incorporated by reference.

SECTION 2. This Ordinance is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question would have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 3. Subsection (C)(1) of Section 2-1.21 of Chapter 1 of Title II of the Madera Municipal Code is hereby amended to read in its entirety as follows:

(C) *District boundaries.* The Council member districts of the city shall have the following legal boundaries:

(1) *District 1.* The region bounded and described as follows: all of that portion of Madera County bounded and described as follows: Beginning at the point of intersection of the Madera city line and Ave 14, and proceeding northerly and westerly along the Madera city line to the Madera city line and Rd 23, and proceeding northerly and easterly along the Madera city line to the Madera city line and Ave 17, and proceeding easterly and northerly along the Madera city line to the Madera city line and Schmidt Creek Way, and proceeding easterly and southerly along the Madera city line to the Madera city line, and proceeding easterly along the Madera city line to the Madera city line and Arnold Way and proceeding southerly along the Madera city line to the Madera city line and Sharon Blvd, and proceeding southerly along the Madera city line and Sharon Blvd to Ellis Street, and proceeding westerly along Ellis Street to Avenue 16, and proceeding southerly along N Schnoor St to Foxglove Way, and proceeding westerly along Foxglove Way to N Granada Dr, and proceeding southerly along N Granada Dr to W Cleveland Ave, and proceeding easterly along W Cleveland Ave to N Schnoor St, and proceeding southerly along N Schnoor St to Sunset Ave, and proceeding easterly along Sunset Ave to N Pine St, and proceeding southerly along N Pine St to Howard Rd, and proceeding westerly along Howard Rd to Mainberry Dr, and proceeding northerly along Mainberry Dr to Sunset Ave, and proceeding westerly along Sunset Ave to Westberry Blvd, and proceeding southerly along Westberry Blvd to Westgate Dr, and proceeding westerly along Westgate Dr to Kent Dr, and proceeding southerly along Kent Dr to Winter Way, and proceeding westerly along Winter Way to Kent Dr, and proceeding southerly along Kent Dr to Ren Way, and proceeding easterly

along Ren Way to Westberry Blvd, and proceeding southerly along Westberry Blvd to Ave 14, and proceeding westerly along Ave 14 to the Madera city line and northerly and westerly along the Madera city line to the point of beginning.

Effective April 6, 2024, the region shall also include the additional territory bounded and described as follows: all of that portion of Madera County bounded and described as follows: Beginning at the point of intersection of the Madera city line and Rd. 24 at Cleveland Avenue, and proceeding northerly along Rd. 24 to Avenue 16, and proceedings westerly along Avenue 16 to Rd. 23, and proceeding northerly along Rd. 23 to Avenue 17, and proceedings westerly along Avenue 17 to the Rd. 22 alignment, and proceeding southerly along the Rd. 22 alignment to the northern bank of the Fresno River, and proceeding easterly along the north bank of the Fresno River to Rd. 23, and proceeding southeasterly along the north bank of the Fresno River to the Avenue 15 alignment, and easterly along the Avenue 15 alignment to the Madera Irrigation District canal, and proceeding easterly along the Madera Irrigation District canal alignment to the Madera city line at the Rd. 24/Alamosa Dr. alignment, and proceeding northerly along the Madera city line to the point of beginning.

SECTION 4: The foregoing district boundaries are depicted on, and added to, the "City Council District Boundaries Map" attached hereto as Exhibit "A," which shall be kept on file in the City Clerk's Office.

SECTION 5: If any article, section, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Chapter. The Council hereby declares that it would have adopted this chapter and adopted each article, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 6: This ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the ordinance, or a summary of the ordinance, shall be published once in a newspaper of general circulation.

* * * * *

The foregoing Ordinance No. 1007 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 21st day of February 2024 and adopted after a second reading at a regular meeting of the City Council held on 6th day of March 2024 by the following vote:

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

NOES: None.

ABSTENTIONS: None.

ABSENT: Mayor Garcia

APPROVED:


CECE GALLEGOS, Mayor Pro Tem

ATTEST:

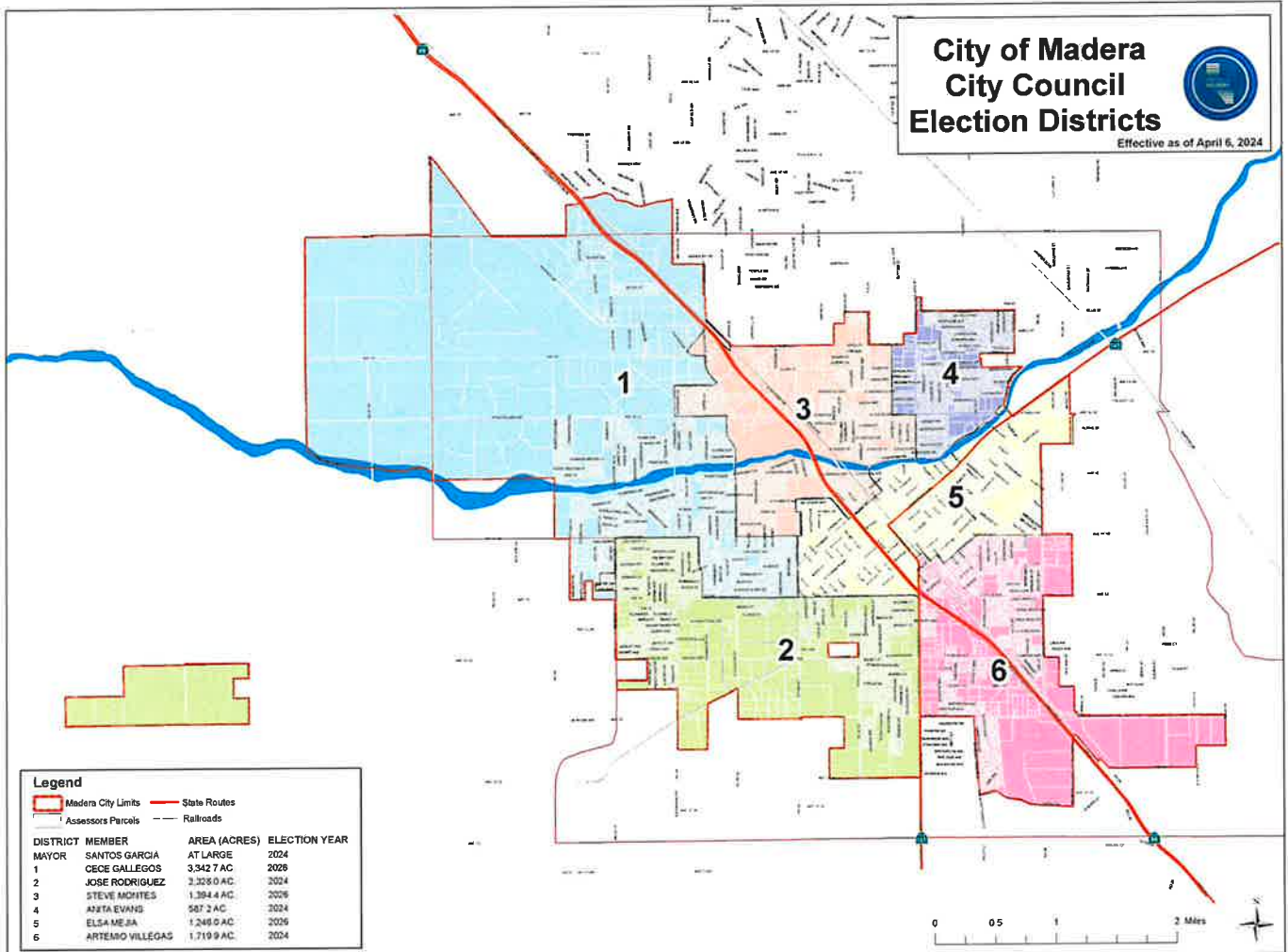

ALICIA GONZALES, City Clerk



City of Madera City Council Election Districts



Effective as of April 6, 2024



Legend

- Madera City Limits
- State Routes
- Assessors Parcels
- Railroads

DISTRICT	MEMBER	AREA (ACRES)	ELECTION YEAR
MAYOR	SANTOS GARCIA	AT LARGE	2024
1	CECE GALLEGOS	3,342.7 AC	2028
2	JOSE RODRIGUEZ	3,329.0 AC	2024
3	STEVE MONTES	1,394.4 AC	2026
4	AZITA EVANS	587.2 AC	2024
5	ELSA MEJIA	1,248.0 AC	2026
6	ARTEMIO VILLEGAS	1,719.9 AC	2024

ORDINANCE NO. 1008 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING
THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.23
ACRES OF PROPERTY LOCATED AT 119 SOUTH I STREET (APN: 010-131-002)
FROM THE R3 (RESIDENTIAL, ONE UNIT FOR EACH 1,800 SQUARE FEET OF SITE
AREA) ZONE DISTRICT TO THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT,
INCLUDING CEQA CLASS 3 AND 32 CATEGORICAL EXEMPTIONS**

WHEREAS, Aftab Naz ("Owner") owns approximately 0.23 acres of property located on the northeasterly side of South I Street between West Yosemite Avenue and West 6th Street at 119 South I Street (APN: 010-131-002) in the City of Madera, California ("site"); and

WHEREAS, the site is planned for Commercial land uses on the City of Madera ("City") General Plan Land Use Map; and

WHEREAS, Gary Rogers, as authorized agent on behalf of the Owner ("Applicant"), submitted Rezone Application No. REZ 2023-03 proposing to rezone the site from the R3 (Residential, One unit for each 1,800 square feet of site area) zone district to the C1 (Light Commercial) zone district; and

WHEREAS, the proposed C1 (Light Commercial) zone district is consistent with the Commercial General Plan land use designation for the Subject Property pursuant to Table LU-A: General Plan/Zoning Consistency of the General Plan; and

WHEREAS, the City performed a preliminary environmental assessment and determined the project to be Categorically Exempt pursuant to Section 15303 (New Construction or Conversions of Small Structures) and Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Planning Commission received and reviewed application REZ 2023-03 at a duly noticed meeting on February 13, 2024 wherein the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

WHEREAS, after its hearing, the Planning Commission adopted Resolution No. 1979 recommending the City Council determine the project is Categorically Exempt from the provisions of CEQA and approve Rezone REZ 2023-03; and

WHEREAS, pursuant to the CMC, a public hearing (for amendments to zone boundaries/changes of property from one zone to another) shall be held before the City Council of the City of Madera (Council) and the Council shall adopt the amendment and Environmental Review; and

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

WHEREAS, the Council received and independently reviewed REZ 2023-03 during the duly noticed public hearing conducted at the regularly scheduled meeting of the Council on March 20, 2024; and

WHEREAS, after due consideration of all the items before it, the Council now desires to adopt this Ordinance approving REZ 2023-03.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA ORDAINS AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2. Public Hearing. The City Council received the recommendation of the Planning Commission (Resolution No. 1979) and held a duly noticed public hearing on March 20, 2024, on the rezoning of the site as shown in Exhibit "A," attached hereto and incorporated by reference.

SECTION 3. CEQA. The City Council finds and determines that REZ 2023-03 is Categorically Exempt pursuant to Section 15303 (New Construction or Conversions of Small Structures) and Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines as this action is intended to facilitate development of four new professional offices suites within a new structure totaling approximately 3,278 square feet in area. Neither the project or use will involving

significant amounts of hazardous substances. All necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The vacant project site is within City limits, is approximately 0.23 acres in size, and is substantially surrounded by urban uses. The site has no value as habitat for endangered, rare or threatened species. Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The zoning of the site to the C1 (Light Commercial) zone district is consistent with the planned Commercial land use designation of the Madara General Plan. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project and the project does not present any unusual circumstances.

SECTION 4. Findings. Based upon the record before it at the public hearing, the City Council determines the adoption of the proposed rezoning ordinance as recommended by the Planning Commission is in the best interest of the City of Madera. The City Council finds Rezone REZ 2023-03 is consistent with the City's Zoning Ordinance to promote the growth of the City in an orderly and sustainable manner and to ensure consistency with the City General Plan. The City Council hereby makes the following findings:

1. The proposed Rezone will provide the required consistency between the General Plan and zoning in accordance with Table LU-A: General Plan/Zoning Consistency of the Madera General Plan.
2. The Rezone is not expected to be detrimental to the health, safety peace, comfort, or general welfare of the neighborhood or the City.

SECTION 5. Approval of Rezone. The City Council hereby approves Rezone REZ 2023-03 and hereby amends the City of Madera Zoning Map as provided for in Chapter 3 of Title X of the Madera Municipal Code from the R3 (Residential, one unit for each 1,800 square feet of site area) zone district to the C1 (Light Commercial) zone district as illustrated in hereto attached Exhibit "A" which indicates the segment of the City of Madera Zoning Map to be amended.

SECTION 6. Posting. The City Clerk shall certify the passage and adoption of this Ordinance by the City Council of the City of Madera and shall cause this Ordinance to be published or posted in accordance with Government Code Section 36933 as required by law.

SECTION 7. Effect Date of Ordinance. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

SECTION 8. Effective Date of Rezone. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Community Development Director 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 Community Development Director and City Clerk.

* * * * *

Exhibit "A" – REZ 2023-03 Zoning Map

The foregoing Ordinance No. 1008 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 20th day of March 2024 and adopted after a second reading at a regular meeting of the City Council held on 3rd day of April 2024 by the following vote:

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

NOES: None.

ABSTENTIONS: None.

ABSENT: Mayor Garcia

APPROVED:



SANTOS GARCIA, Mayor

ATTEST:

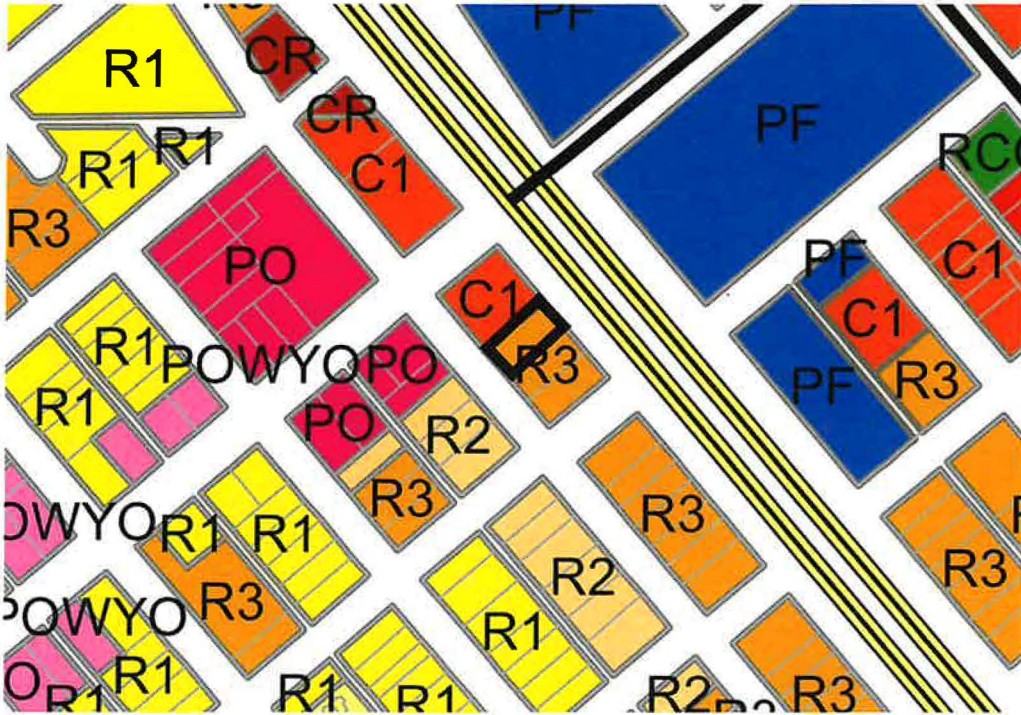


ALICIA GONZALES, City Clerk

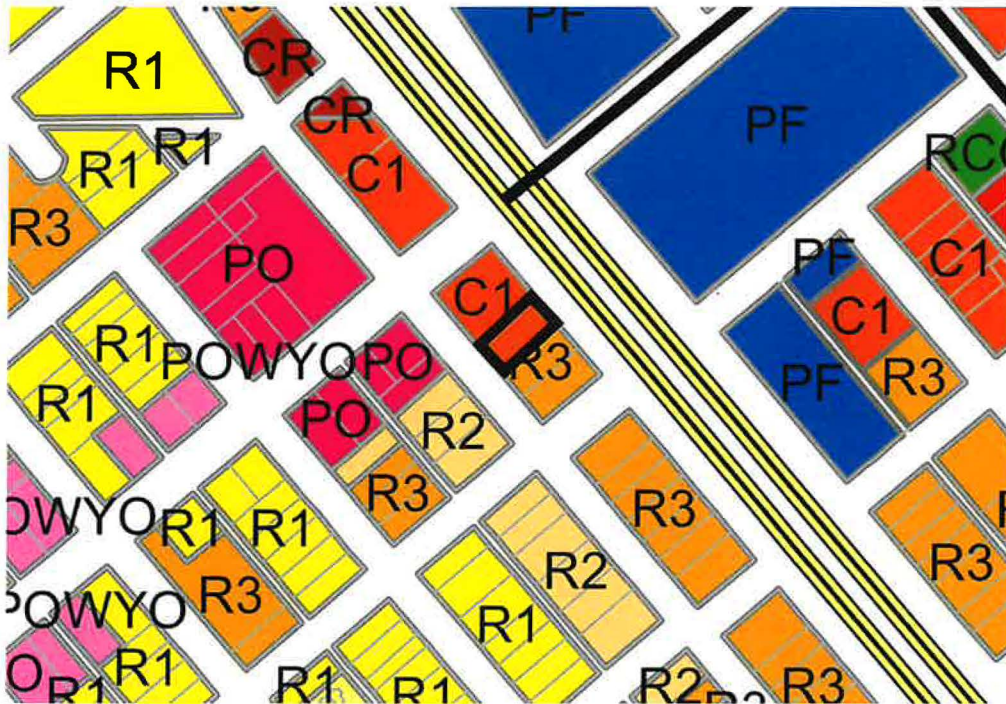


Exhibit "A": Existing and Proposed Zoning Maps

Existing Zoning: R3 (Residential, One unit per 1,800 square feet of site area)



Proposed Zoning: C1 (Light Commercial)



ORDINANCE NO. 1009 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING
REZONE 2022-09 AND AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP
TO REZONE APPROXIMATELY 2.3 ACRES OF PROPERTY (APN: 013-070-014)
FROM THE PO (PROFESSIONAL OFFICE) TO THE C1 (LIGHT COMMERCIAL)
ZONE DISTRICT**

WHEREAS, Edward J. McIntyre ("Owner") submitted an application for a rezone (REZ 2022-09) for approximately 2.3 acres of land located on the on the westerly corner of the Intersection of North Schnoor Avenue and Foxglove Way, comprising APN(s) 013-070-014, in the City of Madera, California ("site"); and

WHEREAS, the site is planned for Commercial land uses in the adopted City of Madera General Plan and Specific Plan No. 1 and is currently zoned PO (Professional Office) by the Zoning Ordinance; and

WHEREAS, the Owner is seeking approval to rezone the site to the C1 (Light Commercial) zone district pursuant to REZ 2022-09; and

WHEREAS, this project was assessed in accordance with the provisions of the California Environmental Quality Act ("CEQA") resulting in preparation of a Mitigated Negative Declaration (SCH No. 2024030027) including a Mitigation Monitoring and Reporting Program, which was circulated, and made available for public review pursuant to CEQA and the City of Madera Municipal Code (CMC) prior to adoption by the City Council; and

WHEREAS, pursuant to the CMC, a properly noticed public hearing was held before the Planning Commission of the City of Madera (Commission) on March 12, 2024, resulting in adoption of Planning Commission Resolution No. 1982 recommending the City Council of the City of Madera (Council) adopt the Mitigated Negative Declaration and mitigation monitoring and reporting program prepared for the proposed project and approve REZ 2022-09; and

WHEREAS, pursuant to the CMC, a public hearing (for amendments to zone boundaries/changes of property from one zone to another) shall be held before the City Council of the City of Madera (Council) and the Council shall adopt the amendment and Environmental Review; and

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

WHEREAS, the Council received and independently reviewed REZ 2022-09 during the duly noticed public hearing conducted at the regularly scheduled meeting of the Council on May 1, 2024; and

WHEREAS, at the May 1, 2024, public 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 Ordinance approving REZ 2022-09.

NOW THEREFORE, the City Council of the City of Madera does ordain as follows:

SECTION 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2. CEQA: This project has been previously assessed. The City Council finds that pursuant CEQA Guidelines § 15162 subsequent environmental review is not required for REZ 2022-09 based on the following:

a. No substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration due (MND) to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the City Council approved the MND almost immediately prior to the adoption of this Ordinance. REZ 2022-09 is consistent with the same density, intensity, and use, and is exactly as contemplated by the MND. As such, the proposed REZ 2022-09 has the same environmental impacts assessed in the MND.

b. No substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, REZ 2022-09 is exactly consistent with the MND and specifically contemplated by it. Additionally, approval of REZ 2022-09 was contingent upon the approval of General and Specific Plan Amendments (GPA 2022-08 & SPA 2022-01) approved by the City Council as part of the approval of the MND, the property will be zoned and will be used for commercial uses as originally contemplated by the MND, and there are no new substantial changes in the physical environment that were not anticipated in the MND, including its analysis in light of the rezone contemplated.

c. There is no new information, which was not known and could not have been known at the time of the previous mitigated negative declaration that the project will have significant effect not discussed in the MND. The REZ 2022-09 will not have any more significant effects than that already discussed and assessed in the MND, and was specifically contemplated by the MND. Furthermore, since a MND was previously adopted for the project, the considerations set forth in CEQA Guidelines § 15162(a)(3)(C) and (D), related to the adequacy and feasibility of previously adopted mitigation measures, are not applicable.

Based upon these findings, the City Council determines that this project has already been environmentally assessed and no further environmental documentation is required for REZ 2022-09.

SECTION 3. Findings. Based upon the record before it at the public hearing, the City Council determines the adoption of the proposed rezoning ordinance as recommended by the Planning Commission is in the best interest of the City of Madera. The City Council finds REZ 2022-09 is consistent with the City's Zoning Ordinance to promote the growth of the City in an orderly and sustainable manner and to ensure consistency with the City General Plan. The City Council hereby makes the following findings:

a. The proposed Rezone will provide the required consistency between the General Plan and zoning in accordance with Table LU-A: General Plan/Zoning Consistency of the Madera General Plan as required by General Plan Policy LU-32. Table LU-A of the General Plan identifies General Plan Land Use Category and Consistent Zoning Districts. According to Table LU-A, the C1 (Light Commercial) zone district is consistent with the Commercial Land Use designation for the site.

b. The Rezone is not expected to be detrimental to the health, safety peace, comfort, or general welfare of the neighborhood or the City. Environmental analyses and findings prepared for the proposed project and as provided in MND (SCH No. 2024030027) considered potential environmental impacts associated with the project. Mandatory findings of significance provide the project will not result in significant environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. In addition, all required standards of the Zoning Regulations contained within the City Municipal Code will be complied with and conditions of approval will be applied to future development to ensure a future proposed project will not be detrimental to the health, safety, peach, comfort or general welfare of the neighborhood or City.

SECTION 4. Approval of REZ 2022-09. The City Council hereby approves REZ 2022-09 and hereby amends the City of Madera Zoning Map as provided for in Chapter 3 of Title X of the Madera Municipal Code as illustrated in the hereto attached Exhibit "A," which indicates the segment of the City of Madera Zoning Map to be amended.

SECTION 5. Severability. 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, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 6. Posting. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the City of Madera and shall cause this Ordinance to be published or posted in accordance with Government Code Section 36933 as required by law.

SECTION 7 Effect Date of Ordinance. 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" – Existing and Proposed C1 (Light Commercial) Zone District Maps

The foregoing Ordinance No. 1009 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 1st day of May 2024 and adopted after a second reading at a regular meeting of the City Council held on 15th day of May 2024 by the following vote:

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

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Evans.

APPROVED:



SANTOS GARCIA, Mayor

ATTEST:



ALICIA GONZALES, City Clerk



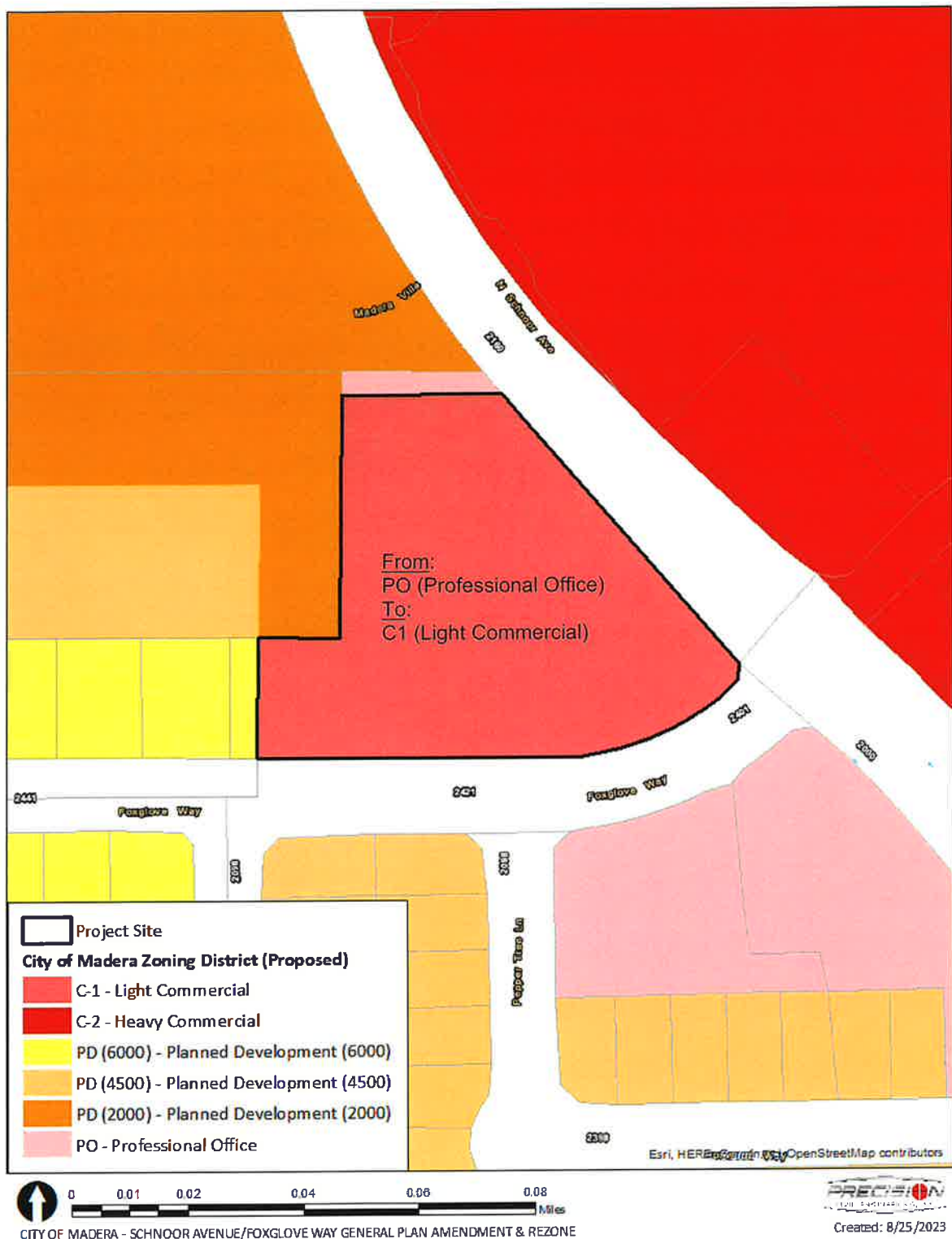


Exhibit "A"
REZ 2022-09 City of Madera Zoning Map (Proposed)

ORDINANCE NO. 1010 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING
SUBSECTION (C)(3) OF SECTION 2-1.21 OF CHAPTER 1 OF TITLE II OF THE
MADERA MUNICIPAL CODE AND ADOPTING REVISED DISTRICT VOTING
BOUNDARIES**

WHEREAS, in 2010 a voter-approved districting plan was adopted by Ord. 890 that established six Council districts; and

WHEREAS, on March 16, 2022, the City Council adopted Ordinance No. 988 updating the Council district boundaries based on the most recent U.S. Census; and

WHEREAS, the annexation of new territory known as the “Country Club Drive-Martin Street Annexation” as well as certain portions of the surrounding area (“Annexed Territory”) into the City was approved by the Madera County Local Agency Formation Commission (“LAFCO”) on February 21, 2024 (LAFCO File No. 2023-01), and became effective on April 15, 2024; and

WHEREAS, pursuant to California Elections Code Section 21603(A), “[If] the boundaries of a city expand by the addition of new territory, including through annexation of unincorporated territory or consolidation with another city, the council shall add that new territory to the nearest existing council district without changing the boundaries of other council district boundaries”; and

WHEREAS, the Annexed Territory is immediately adjacent to District 3; and

WHEREAS, the area for the Annexed Territory is generally depicted in the graphic representation attached hereto as Exhibit “A”; and

WHEREAS, the City Council now desires to enact this Ordinance to annex the Country Club Drive-Martin Street Annexed Territory to District Three.

NOW THEREFORE, the City Council of the City of Madera does ordain as follows:

SECTION 1. The above recitals are hereby incorporated by reference.

SECTION 2. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question would have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 3. Subsection (C)(3) of Section 2-1.21 of Chapter 1 of Title II of the Madera Municipal Code is hereby amended to read in its entirety as follows:

(C) *District boundaries.* The Council member districts of the city shall have the following legal boundaries:

...

(3) District 3. The region bounded and described as follows: all of that portion of Madera County bounded and described as follows: beginning at the point of intersection of Foxglove Way and N Granada Dr, and proceeding easterly along Foxglove Way to N Schnoor St, and proceeding northerly along N Schnoor St to Ave 16, and proceeding westerly along Ave 16 to State Rte 99, and proceeding southerly along State Rte 99 to nonvisible boundary, and proceeding northerly along nonvisible boundary to unnamed ramp, and proceeding southerly along unnamed ramp to nonvisible boundary, and proceeding northerly along nonvisible boundary to the Madera city line, and proceeding easterly along the Madera city line to Austin St, and proceeding southerly along Austin St to E Cleveland Ave, and proceeding easterly along E Cleveland Ave to N Lake St, and proceeding southerly along N Lake St to Fresno River, and proceeding westerly along Fresno River to N D St, and proceeding southerly along N D St to E 3rd St, and proceeding westerly along E 3rd St to W 3rd St, and proceeding westerly along W 3rd St to N H St, and proceeding northerly along N H St to Union Pacific RR, and proceeding westerly along Union Pacific RR to N I St, and proceeding northerly along N I St to Roberts Ave, and proceeding westerly along Roberts Ave to N Pine St, and proceeding southerly along N Pine St to N Park Dr, and proceeding easterly along N Park Dr to Foster Ave, and proceeding southerly along Foster Ave to Sunset Ave, and proceeding westerly along Sunset Ave to N Schnoor St, and proceeding northerly along N Schnoor St to W Cleveland Ave, and proceeding westerly along W Cleveland Ave to N Granada Dr, and proceeding northerly along N Granada Dr to the point of beginning.

Effective July 6, 2024, the region shall also include the additional territory bounded and described as follows: beginning at the point of intersection of the Madera city line and the westerly boundary line of the Madera Irrigation District Lat. 24.2 Canal at the West Adell Street alignment, and proceeding northerly along the westerly boundary of the Madera Irrigation District Lat. 24.2 Canal to a point of intersection with the southerly boundary of the Madera Irrigation District Lat. 24.2 Canal where said canal curves in a westerly direction, and proceeding easterly to Country Club Drive (Rd. 26), and proceeding northerly along Country Club Drive (Rd. 26) to Martin Street, and proceeding easterly along Martin Street to North D Street, and proceeding southerly along North D Street to a point of intersection with the Madera city line at Ellis Street, and proceeding westerly along Ellis Street to Sonora Street, and proceeding southerly along Sonora Street to the Madera city line, and proceeding southwest along the Madera city line to West Adell Street, and proceeding westerly along West Adell Street to the point of beginning.

SECTION 4: The foregoing district boundaries are depicted on, and added to, the “City Council District Boundaries Map” attached hereto as Exhibit “A,” which shall be kept on file in the City Clerk's Office.

SECTION 5: If any article, section, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Chapter. The Council hereby declares that it would have adopted this chapter and adopted each article, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 6: This ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the ordinance, or a summary of the ordinance, shall be published once in a newspaper of general circulation.

* * * * *

Exhibit "A": City Council District Boundaries Map

The foregoing Ordinance No. 1010 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 15th day of May 2024 and adopted after a second reading at a regular meeting of the City Council held on 5th day of June 2024 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



