

ORDINANCE NO. 696

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MADERA COUNTY  
AMENDING SECTIONS 17.72.030, 17.72.040, 17.72.050, 16.06.010,  
16.06.020, 16.06.030, 16.06.040 and 16.06.050 AND REPEALING  
SECTION 17.12.010 OF THE MADERA COUNTY CODE  
RELATING TO VARIOUS STAFF COMMITTEES**

**NOW THEREFORE, THE MADERA COUNTY BOARD OF SUPERVISORS  
DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1:** Section 17.72.030 (Definitions) of the Madera County Code is hereby amended to read as follows:

"17.72.030 - Definitions.

"Director of planning" and "Director," shall mean the Chief of Development Services of the county of Madera and is hereby designated by the board of supervisors as the designated official with authority to approve or disapprove parcel maps and parcel map waivers.

"Division" means "subdivision" as defined in Section 66424 of the California Government Code and which results in a division of a parcel as shown on the "last assessment map."

Last Assessment Map. Any reference to the "last assessment map" in this chapter means the master Parcel Map dated March 1, 1967, and designated as assessor's books 64, 65 and 66 on file in the office of the planning director of the county.

Parcel Map Committee. If convened by the Director under Section 17.72.040, the parcel map committee is chaired by the planning director or his appointee and consists of a representative from the engineering department, environmental health department, fire department, road department, planning department, and the assessor's office is the designated official or official body charged with the duty of making investigations and reports on the design and improvements of proposed divisions of real property, the imposing of requirements or conditions thereon, or having the authority by this chapter to approve, conditionally approve or disapprove maps. The parcel map committee is hereby designated as the advisory agency to the Director and the board of supervisors on all matters related to the division of land by parcel map.

"Tentative parcel map" means "tentative map" or "vesting tentative parcel map."  
"Vesting tentative parcel map" means a tentative map that confers a vested right to proceed with residential or non-residential development in substantial

compliance with the ordinances, policies and standards in effect at the time the application for a vesting tentative parcel map is determined to be complete and subject to the provisions of 4.5 of the Subdivision Map Act.”

**SECTION 2:** Section 17.72.040 (Parcel Map Committee) of the Madera County

Code is hereby amended to read as follows:

“17.72.040 – Parcel Map Committee.

The Director may convene a meeting of a parcel map committee, composed of the county assessor, the county road commissioner, the county planning director, the county environmental health director, the county fire department and the county surveyor; or, in their absence, duly authorized deputies, and such other county officials as may be needed.”

**SECTION 3:** Section 17.72.050 (Parcel Map Committee Chairman) of the

Madera County Code is hereby amended to read as follows:

“17.72.050 – Parcel Map Committee Chairman.

The Director shall act as chairman of the parcel map committee and all files and records shall be maintained in and by the planning department.”

**SECTION 4:** Section 17.12.010 (Membership – Duties) of the Madera County

Code is hereby repealed.

**SECTION 5:** Section 16.06.010 (Procedure Purpose) of the Madera County Code

is hereby amended to read as follows:

“16.06.010 – Procedure Purpose.

The procedures in this title have been formulated to authorize the Chief of Development Services to convene an environmental committee to provide the necessary mechanism for evaluation and decision making regarding compliance with the Madera County general plan, Madera County zoning ordinance and additional environmental requirements as mandated by the California Environmental Quality Act (CEQA).”

**SECTION 6:** Section 16.06.020 (Committee Creation – Membership) of the

Madera County Code is hereby amended to read as follows:

**“16.06.020 – Committee Creation – Membership.**

The Chief of Development Services, at his or her option, may convene an environmental committee consisting of designees of the directors of the Madera County road department, the engineering department, the environmental health department, the county fire marshal and the planning department.”

**SECTION 7:** Section 16.06.030 (Committee Functions) of the Madera County

Code is hereby amended to read as follows:

**“16.06.030 – Committee Functions.**

The Chief of Development Services may use the committee to review all discretionary entitlement permit applications, to conduct initial studies as required by CEQA Guidelines Section 15063 et seq., to evaluate environmental statements when required, and to prepare findings and recommendations regarding land use and compliance with CEQA, with special concern for any potentially significant adverse environmental impact identified in the CEQA Environmental Checklist. If convened, the committee will submit its findings and recommendations to the decision making entity.”

**SECTION 8:** Section 16.06.040 (Consultant Selection) of the Madera County

Code is hereby amended to read as follows:

**“16.06.040 – Consultant Selection.**

The County of Madera shall be the sole entity to prepare, or contract for the preparation of, any project-related water supply assessments. The County of Madera shall ensure that the preparation of environment impact reports follows one of the arrangements described in Section 15084(d) of the CEQA Guidelines (CCR §§ 15000 – 15387) subject to the independent review by the County and/or its independent consultant.”

**SECTION 9:** Section 16.06.050 (Evaluation by Committee) of the Madera County

Code is hereby amended to read as follows:

**“16.06.050 – Evaluation by Committee.**

The Chief of Development Services shall be responsible for implementing this title.

A. The Chief of Development Services, as committee chair for the environmental committee, shall have the following powers as required for all projects or activities as defined by CEQA, whether proposed by private applicants, the county, or other public agencies:

1. To conduct environmental reviews including a determination of the information required to perform the review;
2. To determine the type of environmental document required;
3. To prepare environmental documents as required by this title, CEQA, and the State CEQA Guidelines;
4. To implement any three-party agreement or memorandum of understanding used for preparation of an environmental document and to set standards to help ensure that only qualified environmental consultants prepare these documents;
5. To ensure to the maximum extent possible, that before public review, all environmental documents incorporate the latest pertinent technical or scientific information and are factually accurate and consistent;
6. To ensure that applicants incorporate into proposed projects all required environmental mitigation measures or project alternatives as adopted by the decision makers to minimize, if not preclude, adverse impacts to the environment from the project, consistent with CEQA; and
7. Environmental determinations that do not require discretionary approval may be issued by the chair of the environmental committee.

B. If convened, the environmental committee shall establish and maintain that degree of independence in the performance of these functions and duties as will assure that the review and analysis of the environmental consequences of projects, are in accordance with CEQA, are independent and wholly objective, and are not prepared for the purpose of either supporting or detracting from any project, plan, or position, whether advanced by the county, any other governmental agency, or private interest.

C. If convened, the environmental committee will evaluate each project at a meeting, at which staff members from the various departments will present the results of their own review and of their consultation with responsible and trustee agencies, the applicant, and other pertinent agencies or parties. At this meeting, which is not a public meeting, the environmental committee will determine what recommendations it will make to the planning director regarding: whether the applicant will be required to fund additional studies prior to determining significance of potential environmental impacts; if the determination can be made without additional studies, whether the project requires an environmental impact report (EIR), a mitigated negative declaration (MND) or a negative declaration; and what mitigations if any must be incorporated into the project if it requires an MND.

D. If the applicant fails or refuses to provide the additional studies or the mitigation measures imposed by the environmental committee, the project will not move forward administratively unless and until the applicant complies with the directives of the environmental committee or the planning commission overrules such directives as per Section 16.06.060."

**SECTION 10:** This Ordinance shall take effect thirty (30) days after its adoption and before the expiration of fifteen (15) after its passage, it (or a summary) shall be published with the names of the members of the Board of Supervisors voting for and against the Ordinance in a newspaper of general circulation published in the County of Madera.

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

\* \* \* \* \*

The foregoing Ordinance was adopted this 17 day of MAY,

2022 by the following vote:

Supervisor Frazier voted: Yes

Supervisor Rogers voted: Yes

Supervisor Poythress voted: Yes

Supervisor Gonzalez voted: Yes

Supervisor Wheeler voted: Yes



[Signature]  
Chairman, Board of Supervisors

ATTEST:

[Signature]  
Clerk, Board of Supervisors

Approved as to Legal Form:  
COUNTY COUNSEL

Dale E.

By: Bacigalupi

Digitally signed by: Dale E. Bacigalupi  
DN: CN = Dale E. Bacigalupi email =  
dbacigalupi@ozanosmith.com C =  
AD  
Date: 2022.03.10 16:32:44 -08'00'