

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF  
MADERA AMENDING SECTION 17.72.186 OF THE MADERA COUNTY CODE  
RELATING TO PARCEL MAPS**

The Board of Supervisors of the County of Madera ordain as follows:

**SECTION 1:** SECTION 17.72.186 of the Madera County Municipal Code is hereby amended in full to read as follows:

“17.72.186 – Improvement agreements.

- A. Prior to the recordation of a final parcel map the county may enter into an agreement with the applicant to provide for the completion of designated improvements required pursuant to this chapter. At the time of filing the agreement, the subdivider will deposit with the county an acceptable security. The amount of this security will be equal to one hundred fifty percent of a California registered civil engineer's cost estimate. The cost estimate must be approved by the county engineer, road commissioner or their designee. The security amount (one hundred fifty percent of the approved estimate) includes one hundred percent for performance and fifty percent for labor and materials. The agreement shall specify the date by which the improvements shall be completed. Existence of the agreement shall be noted on the final parcel map or in the resolution approving a parcel map waiver and the agreement shall be recorded in the official records of the county.
- B. In lieu of the security described in subsection A above, at the time of filing the agreement, the county may enter into an agreement with the subdivider. The terms of the agreement shall be as follows.
  - 1. The title of the parcel map be placed in trust along with an agreement between the trustee and the county that title to parcel will not be transferred until written approval is given by the county for the release or partial release of property held in trust. The county will not authorize any release until the necessary improvements have been completed.
  - 2. The agreement must contain an accurate legal description of the final parcel map.
  - 3. Special conditions or improvements unique to the final parcel map shall be listed in an attached exhibit.
  - 4. The agreement must be recorded at the time of final map recordation.

5. The agreement must provide authorization for county to abandon the recordation of the final parcel map if the required improvements fail to be installed in compliance with the county's standard specifications within three years.
  - i. The Chief of Development Services, under authority vested by the board of supervisors, may extend the time specified to complete improvements for one year if the purposes of these regulations would still be served.
  - ii. The board of supervisors in its absolute discretion, may extend the time specified to complete improvements for additional terms if the purposes of these regulations would still be served.
6. If the parcel is sold, a new improvement agreement shall be executed concurrently with the sale.

C. Assurances and liens shall be as follows:

1. Upon the recommendation of the Chief of Development Services director, under authority vested by the board of supervisors, assurances and liens may be released upon a determination that all improvements are completed in accordance with all the conditions of final map approval.
2. The Chief of Development Services shall record a form in the county recorder's office indicating which lots have been released from an improvement agreement within a recorded parcel map.
3. Partial releases may be approved for completed phases."

**SECTION 2.** This Ordinance shall take effect thirty (30) days after its adoption and before the expiration of fifteen (15) days 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.

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The foregoing Ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022  
by the following vote:

Supervisor Frazier voted: \_\_\_\_\_

Supervisor Rogers voted: \_\_\_\_\_

Supervisor Poythress voted: \_\_\_\_\_

Supervisor Gonzalez voted: \_\_\_\_\_

Supervisor Wheeler voted: \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

Approved as to Legal Form:  
COUNTY COUNSEL

By: Crystal M. Pizano  
Digitally signed by: Crystal M. Pizano  
DN: CN = Crystal M. Pizano email = cpizano@lozanosmith.com C = AD  
Date: 2022.02.14 15:56:20 -08'00'