
FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)
EXECUTIVE OFFICER'S REPORT

CONSENT AGENDA ITEM NO. 5-B

DATE: July 11, 2018

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Juan Lara, LAFCo Analyst II

SUBJECT: Consider Approval City of Fresno "Belmont-Fowler No. 1 Reorganization."
A proposed reorganization consisting of the annexation of 7.8 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the north side of East Belmont Avenue between North Fowler and North Armstrong Avenues.
(LAFCo File No. RO-18-3)

Applicant: City of Fresno

Land Owners/Parties of Real Interest (100% consent): City of Fresno, Michael P. Pickett, Don Pickett & Associates, Caltrans (State of California).

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

RECOMMENDATION: Approve by taking the following actions:

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the Proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

Action 2:

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

- C. Find pursuant to CKH and information in the record that:
- a. The territory is uninhabited; and
 - b. All landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation "Belmont-Fowler No. 1 Reorganization" and approve the annexation and detachments subject to the following condition of approval:
- a. Pursuant to Fresno LAFCo policy 103-05, the executive officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the commission.
 - b. Ownership of land permitting, the annexation shall include the full-width right-of-way along Belmont Avenue.
 - c. Submittal of corrected legal description and map.
 - d. Satisfactory verification that the city has accepted a final map shall be submitted to the executive officer prior to completion (recordation) of the annexation.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On April 5, 2018, The City of Fresno initiated this reorganization proposal with the adoption of Resolution No. 2018-78 requesting that the commission begin proceedings for the "Belmont-Fowler No. 1 Reorganization" to annex approximately 7.8 acres located on the north side of East Belmont Avenue between North Fowler and North Armstrong Avenues to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District.

Proposal/Land Use

- The affected territory is within the City of Fresno's sphere of influence (**Attachment A**) and is contiguous to the Fresno city limits (**Attachment B**).
- The proposal consists of the annexation of 7.8 acres to the City of Fresno and detachment from the Fresno County Fire Protection and Kings River Conservation District.
- The affected territory is located on the north side of East Belmont Avenue between North Fowler and North Armstrong Avenues.

- The proposal is currently zoned AE-20 (Agricultural) and will be rezoned to the BP/UGM (Business Park/ Urban Growth Management) zone districts by Pre-zone application R-17-015, City Ordinance No. 2018-16 and Bill No. B-16.
- The territory is uninhabited.

Relationship to Regional Housing Goals and Policies

The affected territory is located within the City of Fresno's sphere of influence and is contiguous to the City's incorporated boundary. The affected territory is currently planned for limited agricultural land uses by the Fresno County General Plan. Prezone application No. R-17-015 was approved by the Fresno City Council on April 5, 2018 for the subject 7.8 acres. The prezone ordinance will only affect approximately 1.8 acres of private property. However the annexation will include 7.8 acres which includes the private property as well as the entire right-of-way for State Route 180.

Sustainable Groundwater Management Act

California's Sustainable Groundwater Management Act ("SGMA") was signed into law by Governor Edmund G. Brown Jr. on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California's history. SGMA requires local agencies to form Groundwater Sustainability Agencies ("GSAs") in local groundwater basins by June 2017, and requires the adoption of Groundwater Sustainability Plans ("GSPs") for groundwater basins deemed high priority by the year 2020. The North Kings GSA will represent the City of Fresno.

The subject proposal can be readily served by the city's sewer, water and storm drainage infrastructure. Further, the property is already within the service area of police and fire services as well as Mid Valley Disposal solid waste collection. Once the subject territory is annexed to the city, the new development in the area will require the extension of main water lines and installation of fire hydrants.

The territory within the subject proposal is within the City of Fresno's' Growth Area One. Water availability within Growth Area One was acquired through agreement between the City of Fresno and the Fresno Irrigation District.¹

Environmental Determination

The City of Fresno, acting as "Lead Agency" under CEQA, prepared an Initial Study (IS) for the proposed project constant with the requirements of CEQA. The IS determined the project would not have a significant impact on the environment. A Mitigated Negative Declaration was adopted for the proposal. See initial study at www.fresnolafco.org.

¹ Phone conversation Mike Sanchez, Assistant Director, Development and Resource Management. March 6, 2018.

As a “Responsible Agency” under CEQA, the commission is required to review and consider the City’s environmental documents prior to taking its action. If the commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under “Recommendations” above.

Application Information

1. Affected Territory

Acreage:	7.8
Current Land Use Designation:	AE-20 (Agricultural)
Number of Residences/ Population:	Residents 0 / Population: 0
Registered Voters:	Voters: 1
Assessor Parcel Number(s):	310-132-36, 310-132-38, 310-132-40, 310-132-39T, 310-132-35T, 310-132-14T, 310-132-32T, 310-132-37T

2. **Proposed Development** – The affected territory will be developed into a Commercial Business Park.

3. **Surrounding Territory** – Freeway 180 to the north. Vacant West: Single Family residential to the south.

4. **Consistency with Adopted Sphere of Influence (SOI)** - The affected territory is within the LAFCo’s sphere of influence for the City of Fresno.

5. **Consistency with City and County General Plans** - The proposal will be consistent with the City of Fresno’s General Plan once annexed. The Proposal furthers the County’s General Plan policies of directing growth to existing cities where infrastructure and a full range of municipal services are available to serve urban development.

6. Existing Service Agencies and Proposed Service Changes

Service	Existing Service	Change
Water	N/A	City of Fresno
Sewer	N/A	City of Fresno
Fire Protection	Fresno Co. Fire Protection District	Fresno Fire Department

(See Service Plan on our website at www.fresnolafo.org)

7. Cities and Districts Included wholly or partially within the Affected territory

Fresno County	Clovis Memorial
Fresno County Library	Consolidated Mosquito Abatement
Clovis Cemetery	Clovis Unified School
County Service Area 35	State Center Community College
Fresno County Fire Protection Dist.	Co. School Service

Kings River Conservation	West Fresno Red Scale
Fresno Irrigation	

8. **Costs and Other Changes Affecting Residents or Landowners** - After annexation a Public Safety bond property tax increase of \$33.44 per \$100,000 or fraction thereof, of total assessed value per property.
9. **Consistency with LAFCo Policies, Standards and Procedures**
- All properties within the Proposal will be rezoned to the BP/UGM (Business Park/Urban Growth Management) zone districts by Pre-zone application R-17-015 City Ordinance No. 2018-16 and Bill No. B-16 effective May 6, 2018.
 - The County has determined that the Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Fresno and County of Fresno (see letter from Mr. Jean Rousseau).
 - The City of Fresno and the Fresno County Fire Protection District have a transition agreement in place to provide fire protection services to the affected territory.
 - The Proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.
 - The City of Fresno is within the North Kings GSA and has a groundwater recharge plan in place.
 - The executive officer has determined that a Right-to-Farm Covenant is of no public benefit.
 - The executive officer has determined with the inclusion of state route 180 the affected territory is deemed substantially developed consistent with the Fresno LAFCo standards for annexation.
10. **Agencies and Individuals Submitting Comments**
- Jean Rousseau, County Administrative Officer
 - Kevin Tsuda, Environmental Health Specialist II, Fresno Co. Dept. of Public Health
 - Erik Salcedo, Elections Division
 - Jason Clarke, P.E., Development Service Manager Fresno Metropolitan Control District
 - Karen Coletti, Executive Secretary, Fresno Co. Public Library
 - Virginia Quevedo, Supervising Cadastral Technician, Fresno Co. Assessor's Office
 - Derek Chambers, Planner, Fresno Co. Public Works and Planning
11. **Territory Boundaries** - The boundaries of the proposed annexation **are** definite and certain and the County Assessor has determined that the map and legal description **are not adequate** to file with the State Board of Equalization.
12. **Registered Voter Data** - The County of Fresno Elections Office reported that there was **one** registered voter in the affected territory.

13. **Compliance with the Requirements of CEQA**

Lead Agency: City of Fresno

Level of Analysis: Initial Study

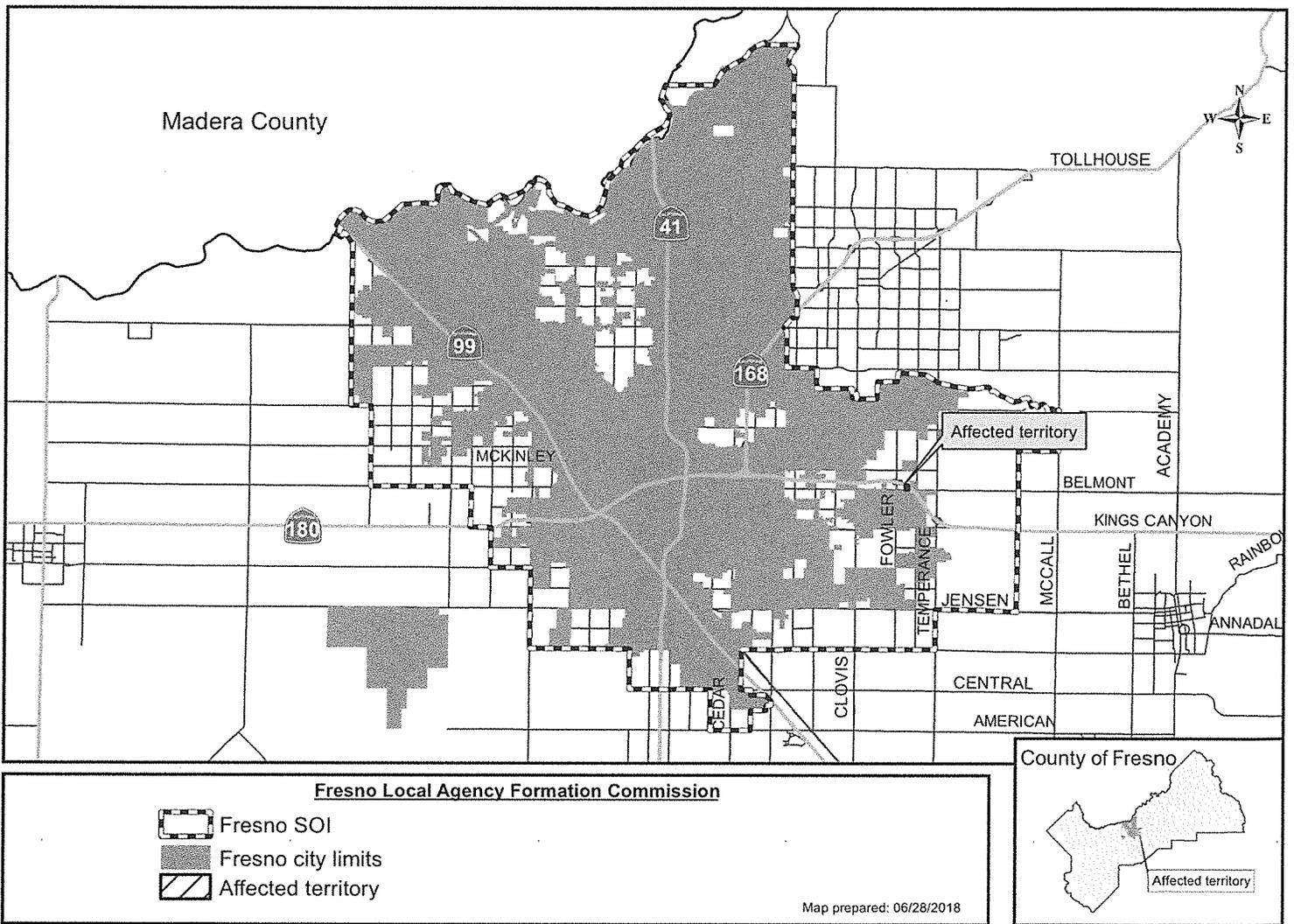
Finding: Mitigated Negative Declaration (see Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the March 2018 file).

14. **Public Notice of Hearing** - This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.

15. **Individuals and Agencies Receiving this Report**

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Will Kettler, Development Services Div. Mgr., Fresno Co. Public Works and Planning
- Paul Peschel, District Manager, Kings River Conservation District
- Wilma Quan-Schechter, Fresno City Manager
- Mike Sanchez, Assistant Director, DARM, City of Fresno
- Bruce Barnes, Development Resource Management, City of Fresno
- Chief Mark Johnson, Chief, Fresno County Fire Protection District

Attachment A



Attachment B

