

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

CONSENT AGENDA ITEM No. 6 - B

DATE: May 10, 2017

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

BY: Juan Lara, LAFCo Analyst

SUBJECT: Consider Approval: JDS Land, LLC annexation to the Consolidated Irrigation District." A proposal to annex 22.67 acres to the Consolidated Irrigation District for the territory located south of Church Avenue, east of Quality Avenue (LAFCo File No. AD-16-1).

Applicant: JDS Land, LLC

Land Owners/Parties of Real Interest (100% consent): JDS Land, LLC, Scott Boyajian,

(This proposed annexation 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:

1. Acting as a "Lead Agency" under CEQA Guidelines, state that this Commission has adopted a Negative Declaration prepared for this project by the Fresno Local Agency Formation Commission prior to making its determination and find the subsequent project (Proposal) to be within the scope of the overall project covered by the Negative Declaration (CEQA Section 15371 "Negative Declaration").
2. 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).
3. 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.
4. Assign the distinctive short form designation "JDS Land, LLC annexation to the Consolidated Irrigation District" and approve the annexation 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.

5. Waive further Conducting Authority proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On February 13, 2017, JDS Land, LLC initiated this annexation by property-owner petition, requesting that the Commission begin proceedings for the "JDS Land, LLC annexation to the Consolidated Irrigation District" to annex approximately 22.67 acres located south of Church Avenue, east of Quality Avenue to the Consolidated Irrigation District.

The annexation will permit distribution of Consolidated Irrigation District surface water to the affected territory.

Proposal

The Proposal consists of the annexation of 22.67 acres located south of Church Avenue, east of Quality Avenue to the Consolidated Irrigation District.

Proposal/Land Use

- The affected territory is within the Consolidated Irrigation District's sphere of influence and is contiguous to the District's service (**Exhibit A**).
- The proposal consists of the annexation of 22.67 acres to the Consolidated Irrigation District.
- The affected territory is located south of Church Avenue, east of Quality Avenue.
- The proposal is currently zoned for agricultural uses by Fresno County.
- The territory is uninhabited (no registered voters).

Environmental Determination

Fresno LAFCo is the "Lead Agency" under the California Environmental Quality Act. A draft Negative Declaration has been prepared and is recommended for approval.

See initial study at www.fresnolafco.org.

As Lead Agency, the Commission is required to review and consider 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:	22.67
Current Land Use:	Agricultural
Number of Residences/ Population:	0
Registered Voters:	0
Assessor Parcel Number(s):	320-020-27

2. Surrounding Territory - Agricultural to the north, east, and south. Multi-family residential to the west (City of Sanger).

3. Consistency with Sphere of Influence (SOI) - The affected territory is within the Consolidated Irrigation District sphere of influence.

The Proposal is also within the City of Sanger sphere of influence.

4. Consistency County General Plans - The Proposal is consistent with the County of Fresno's General Plan.

5. Existing Service Agencies and Proposed Service Changes

Service	Existing Service	Change
Water	Private wells	Consolidated Irrigation District
Sewer	N/A	N/A
Fire Protection	Fresno County Fire Protection District	None

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

6. Cities and Districts Included Wholly or Partially Within the Affected Territory

- Kings River Conservation District
- West Fresno Red Scale Protection Dist.
- State Center Community College District
- Consolidated Mosquito Abatement District
- Fresno County Fire Protection District
- Consolidated Irrigation District

7. Costs and Other Changes Affecting Residents or Landowners - Monthly service charge and recharge fee.

8. **Agencies and Individuals Submitting Comments**

- Jean Rousseau, County Administrative Officer
- Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Laurel Prysiakny, County Librarian
- Rick Lyons, Engineering Technician III, Fresno Metropolitan Flood Control District
- Sanger Unified School District.

9. **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 adequate to file with the State Board of Equalization.

10. **Registered Voter Data** - The County of Fresno Elections Office reported that there were no registered voters in the affected territory.

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

Lead Agency: Fresno Local Agency Formation Commission

Level of Analysis: Initial Study

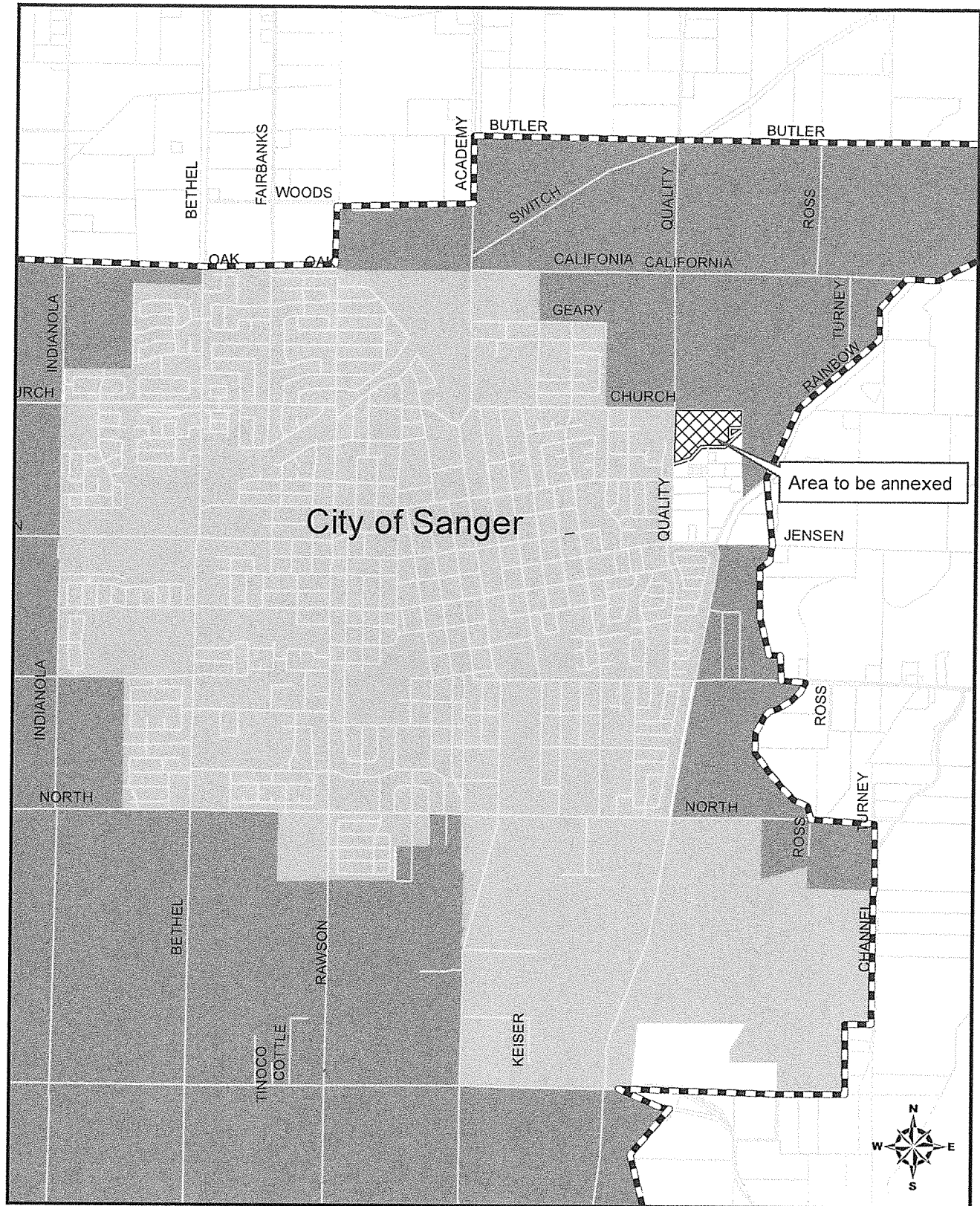
Finding: Negative Declaration

12. **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.





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

- Ken Price, LAFCo Counsel
- JDS, Land LLC
- Consolidated Irrigation District

Exhibit A



JDS Land, LLC annexation to Consolidated Irrigation District
LAFCO File Number: AD-16-1

-  District SOI
-  CID service area
-  City Limits
-  Area to be annexed