

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

CONSENT AGENDA ITEM No. 5C

DATE: August 12, 2015

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: **Consider Approval: City of Sanger** "Indianola-North Reorganization." A reorganization to annex 81.57 acres to the City of Sanger and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located at the northeast corner of Indianola and North Avenues (LAFCo File No. RO-15-4). **(Continued from July 8, 2015)**

Applicant: City of Sanger

Land Owners/Parties of Real Interest (asterisk indicates consent):

D.R. Horton* City of Sanger*

RECOMMENDATION: Approve By Taking the Following Actions:

- 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 project 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.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Assign the distinctive short form designation "Indianola-North Reorganization" and approve the reorganization (annexation and detachments) subject to the following condition of approval:

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.

- D. Find pursuant to CKH that:
 - 1. The territory is uninhabited; and

2. All landowners and affected agencies have consented to the reorganization.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

Background

On May 7, 2015, the City of Sanger initiated these proceedings with the adoption of Resolution No. 4549, requesting that the Commission begin proceedings for the "Indianola-North Reorganization" to annex 81.57 acres to the City of Sanger and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District.

Fresno County CAO Navarrette has determined that the proposal is consistent with the Standards of Annexation contained within the City/County Memorandum of Understanding. The proposal development conforms to the City's General Plan. The City of Sanger and the Fresno County Fire Protection District have a fire transition agreement in place as required by Section 102-04 of the Commission's Policies, Standards, and Procedures.

The Commission continued this item from the July 8, 2015 hearing to its August 12 hearing in order to allow time for the city to resolve a last minute water supply issue raised by Betsy Lichti, District Engineer, Fresno District of the State Water Resources Control Board. The parties have been in discussion since that time; the issue is expected by city staff to be resolved by the time of the Commission hearing. At that time, staff will provide the Commission with written statements to that effect. In the event that the issue is not resolved, staff may recommend continuing this proposal to a future date.

Discussion

The proposal consists of the annexation of 81.57 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located at the northeast corner of Indianola and North Avenues.

D.R. Horton filed Tentative Tract Map No. 6093 to develop an 80-acre site into 312 single-family residential lots. On November 17, 2005, the Sanger City Council adopted Ordinance No. 05-04 and rezoned APN No. 322-020-08 and 18 from Fresno County AE to R-1-6 Zone District and 4.54 acres to RSC Zone District. In 2015, the City of Sanger adopted Ordinance No. 1158 that changed zoning for the 4.54-acre lot from RSC to R-1-6. The City of Sanger as "lead agency" conducted an initial study and on May 7, 2015, adopted a Mitigated Negative Declaration.

The County Assessor's Office recommended including a 2.86-acre parcel of land (APN 322-020-24) that is located on the west side of Indianola Avenue between North and Annadale Avenues that is owned by the City because if annexed, the property would become tax exempt. Staff agrees with this recommendation.

The City of Sanger consented to the annexation of the 2.86-acre parcel (APN 322-020-24) which was previously rezoned to C-1 District as part of Tentative Tract 5644's entitlements and was also included in the Initial Study for Tentative Tract Map 5644.

Proposal / Land Use

- The territory is within the City of Sanger's Sphere of Influence, adjacent to the city limits to the north and east (**Figure 1**).
- The proposal consists of the annexation of 81.57 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District.
- All properties within the project area have been rezoned to the Sanger R-1-6 (6,000 square foot minimum lot size) Zone District. The proposed uses conform to this rezoning,
- The subject territory is located at the northeast corner of Indianola and North Avenues (**Figure 2**). The territory is uninhabited.
- The proposed development and reorganization conform to the City of Sanger's General Plan.

Environmental Determination

On May 17, 2015, the City of Sanger adopted Resolution No. 4545 adopting an Initial Study, Mitigated Negative Declaration, and Mitigated Monitoring and Reporting Program prepared for the entitlements for Vesting Tentative Tract Map 6093 (See Environmental Documents on our website at www.fresnolafco.org). On May 15, 2015, the City filed a Notice of Determination with the County Clerk

As Responsible Agency, 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.

Consistency with LAFCo Policies, Standards and Procedures

- The Proposal was rezoned R-1-6 and is consistent with the General Plan land use designation that designates the territory for Medium-Density Residential land uses.
- 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 Sanger and County of Fresno (see letter from Mr. John Navarrette, Fresno County CAO, June 5, 2015 - Correspondence and Comments).
- The City of Sanger and the Fresno County Fire Protection District have a fire transition agreement in place to provide fire protection services to the affected territory.

Accordingly, the Proposal is consistent with CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

APPLICATION INFORMATION

1. Subject Territory

Acreage:	81.57 acres
Current Land Use:	Agriculture (vineyard)
Number of Residences/ Population:	Residences:0 / Population: 0
Registered Voters:	Voters: 0
Assessor Parcel Number(s):	322-020-08, `18s, 24

2. **Proposed Development:** The proposed development consists of a 312-lot single-family residential subdivision that will be built out in four phases. The subdivision includes three mini-parks, a water well site, and a temporary drainage basin. The subdivision will be built as a Planned Unit Development. The subdivision will annex to the City of Sanger's Lighting, Landscaping, and Maintenance District and the City's Community Facilities District. The project is required to improve North Avenue and Annadale Avenue and to construct Indianola Avenue.
3. **Surrounding Territory:** To the north is single-family residential and Sanger High School; to the east is single-family residential; to the south is fallow farmland; and to the west is agricultural land planted in an orchard.
4. **Consistency with Adopted Sphere of Influence (SOI):** The subject territory is within the LAFCo-approved Sphere of Influence for Sanger.
5. **Existing Service Agencies and Proposed Service Changes:**

Service	Existing Service	Change
Water	Private Well	City of Sanger
Sewer	Private Septic	City of Sanger
Fire Protection	Fresno Co. Fire Protection District	City of Sanger

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

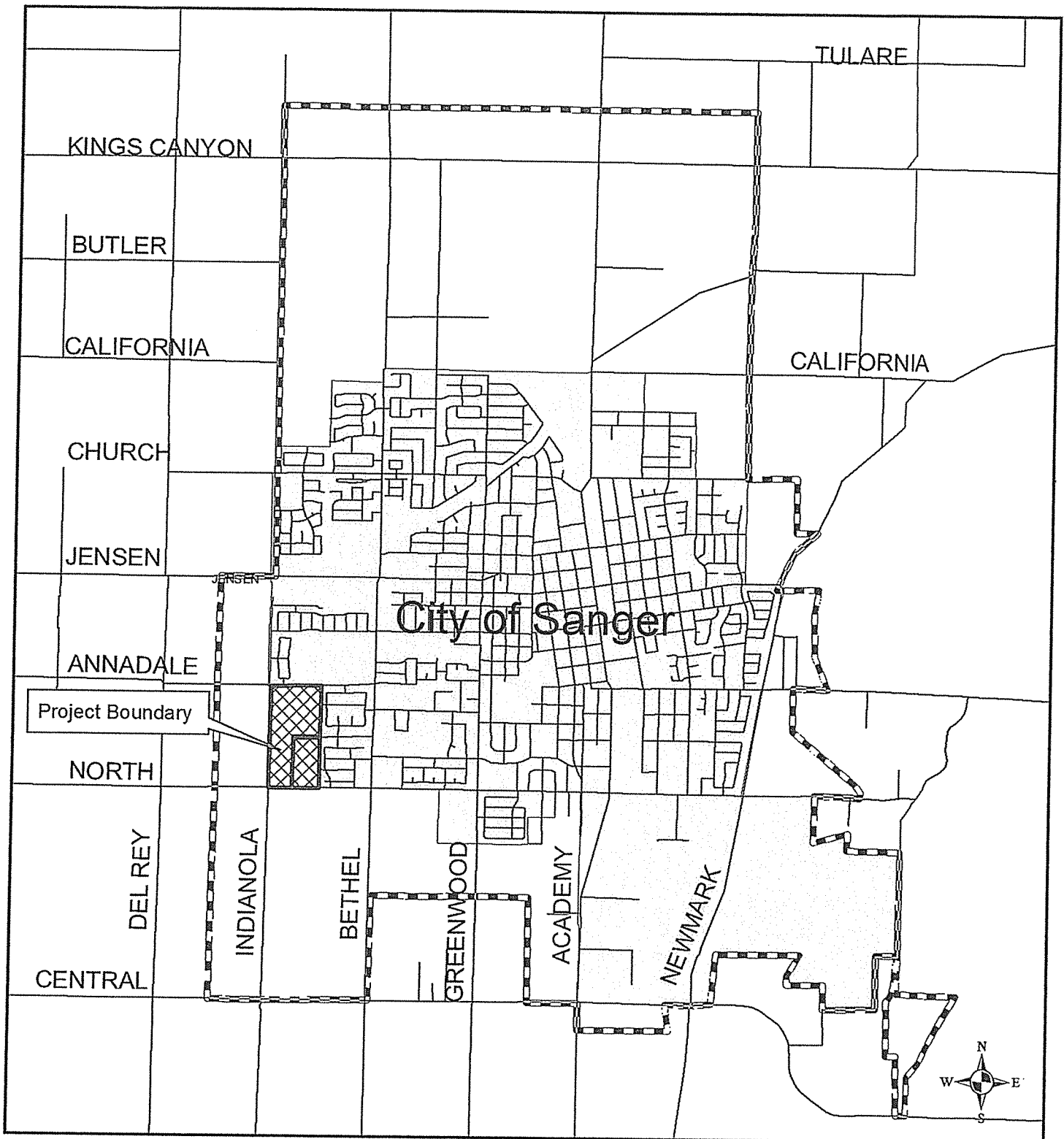
6. **Cities and Districts Included Wholly or Partially Within the Subject Territory**




Kings River Conservation District	Fresno County Fire Protection District
State Center Community College District	Sanger Unified School District
Sanger-Del Rey Cemetery District	County Service Area No. 35
Consolidated Irrigation District	Fresno County Library
County of Fresno	Clovis Memorial District
West Fresno County Red Scale Protective District	

7. **Costs and Other Changes Affecting Residents or Landowners:** There will no costs or other changes that would affect residences or landowners.
8. **Agencies and Individuals Submitting Comments:** (see Correspondence and Comments attached to the staff report on our website at www.fresnolafco.org)
 - John Navarrette, County Administrative Officer
 - Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
 - Laurel Prysiaczny, County Librarian
 - Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
 - Ryan Lopez, IT Analyst, Fresno County Elections Department
 - Betsy Lichti, P.E. State Water Resources Control Board

9. **Territory Boundaries:** The boundaries of the proposed annexation **are** definite and certain. The County Assessor has determined that the map and legal description **is not adequate** to file with the State Board of Equalization.
11. **Compliance with the Requirements of CEQA:**
- Lead Agency: City of Sanger
Level of Analysis: Initial Study
Finding: Mitigated Negative Declaration
12. **Public Notice of Hearing:** Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.
13. **Individuals and Agencies Receiving this Report**
- Commissioners and Alternates
 - 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
 - Mark Johnson, Chief, Fresno County Fire Protection District
 - Randy Shilling, Deputy District Manager, Kings River Conservation District
 - Keith Woodcock, City Planner, City of Sanger
 - Richelle Carino, D. R. Horton

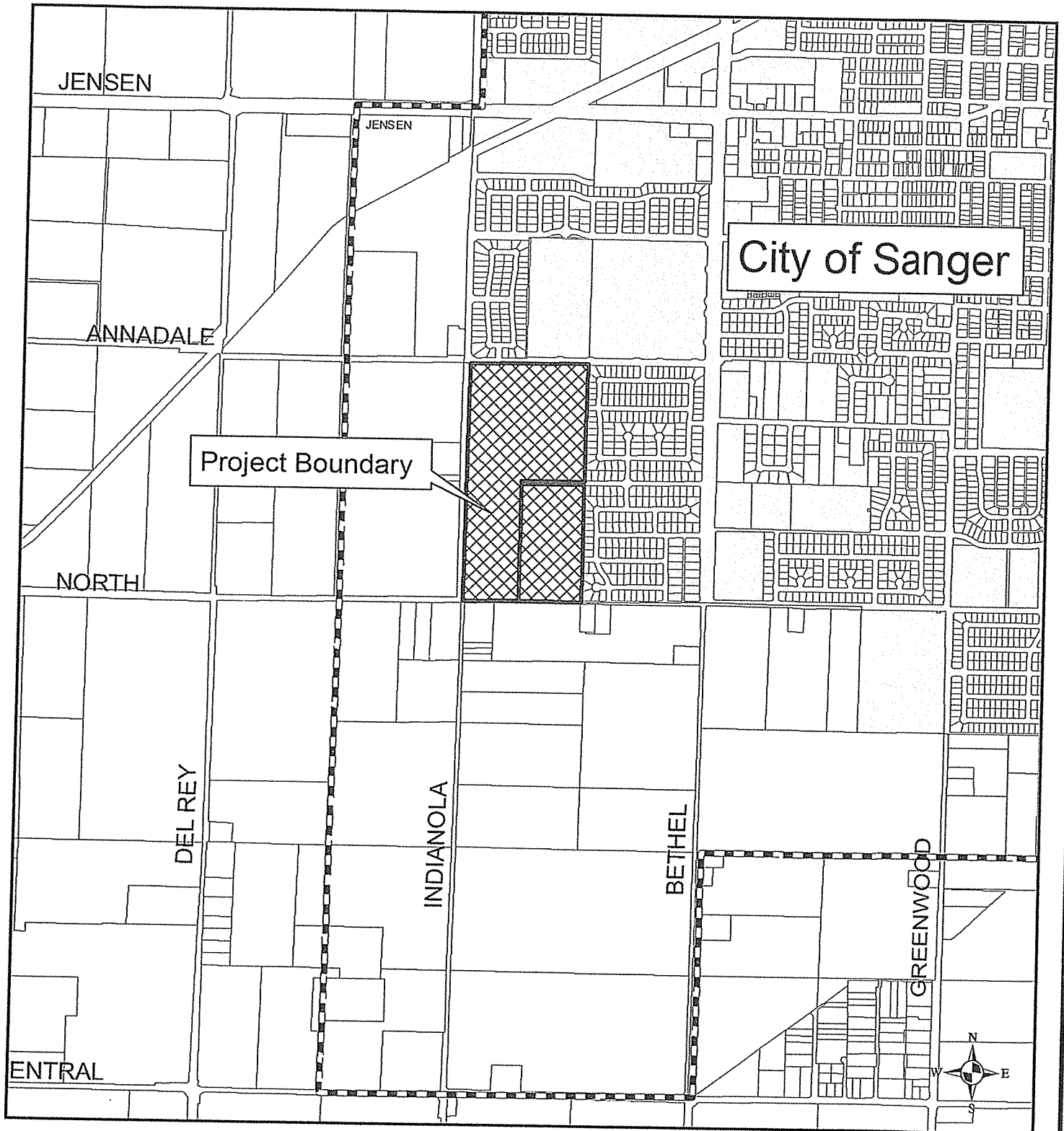
FIGURE 1






-  Indianola-North Reorganization
-  Sphere of Influence, Sanger
-  City Limits, Sanger

**Indianola-North Reorganization
City of Sanger**

FIGURE 2



-  Indianola-North Reorganization
-  Sphere of Influence, Sanger
-  City Limits, Sanger

**Indianola-North Reorganization
City of Sanger**