

RESOLUTION NO. RO-15-13

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of:

LAFCo Determination

A REQUEST FROM THE CITY)
OF FRESNO FOR APPROVAL)
OF THE "NORTH-CHERRY NO. 3)
REORGANIZATION")

APPROVED CEQA; APPROVED
"NORTH-CHERRY NO. 3
REORGANIZATION" WITH
CONDITIONS

WHEREAS, reorganization proceedings were initiated by the City of Fresno to annex 0.97 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located south of North Avenue and west of Cherry Avenue; and

WHEREAS, the application was submitted to this Commission by the City of Fresno as required by State Law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 9th day of December, 2015, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing of said application was given as required by State Law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report to this Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before said hearing and was duly considered by this Commission pursuant to State Law; and

WHEREAS, this Commission reviewed and considered the information in the Lead Agency's Finding of Conformity prepared and adopted by the Lead Agency, City of Fresno, for the "North-Cherry No. 3 Reorganization" and associated rezoning under the requirements of the California Environmental Quality Act ("CEQA"), which was included in the Executive Officer's report to this Commission; and

WHEREAS, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. 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, City of Fresno, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

ADOPTED THIS 9TH DAY OF DECEMBER, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, SANTOYO, MENDES, SILVA

NOES: NONE

ABSTAIN: NONE

ABSENT: COMMISSIONER PACHECO

Section #2: This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section #3. This Commission assigns the distinctive short form designation "North-Cherry No. 3 Reorganization" and approves the reorganization (annexation and detachments) subject to the following conditions 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. Prior to recordation, the map and legal description must be approved by the County Assessor.

Section #4. This Commission finds pursuant to CKH that:

- A. The territory is uninhabited; and
- B. All landowners and affected agencies have consented to the reorganization.

Section #5. This Commission waives further Conducting Authority Proceedings and orders the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

Section #6. The Commission's action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Executive Officer.

Section #7. The Executive Officer is hereby authorized and directed to mail copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this proposal, as required by State law.

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ADOPTED THIS 9TH DAY OF DECEMBER, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, SANTOYO, MENDES, SILVA

NOES: NONE

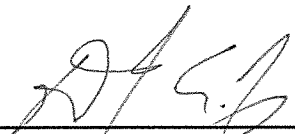
ABSENT: COMMISSIONER PACHECO

ABSTAIN: NONE

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

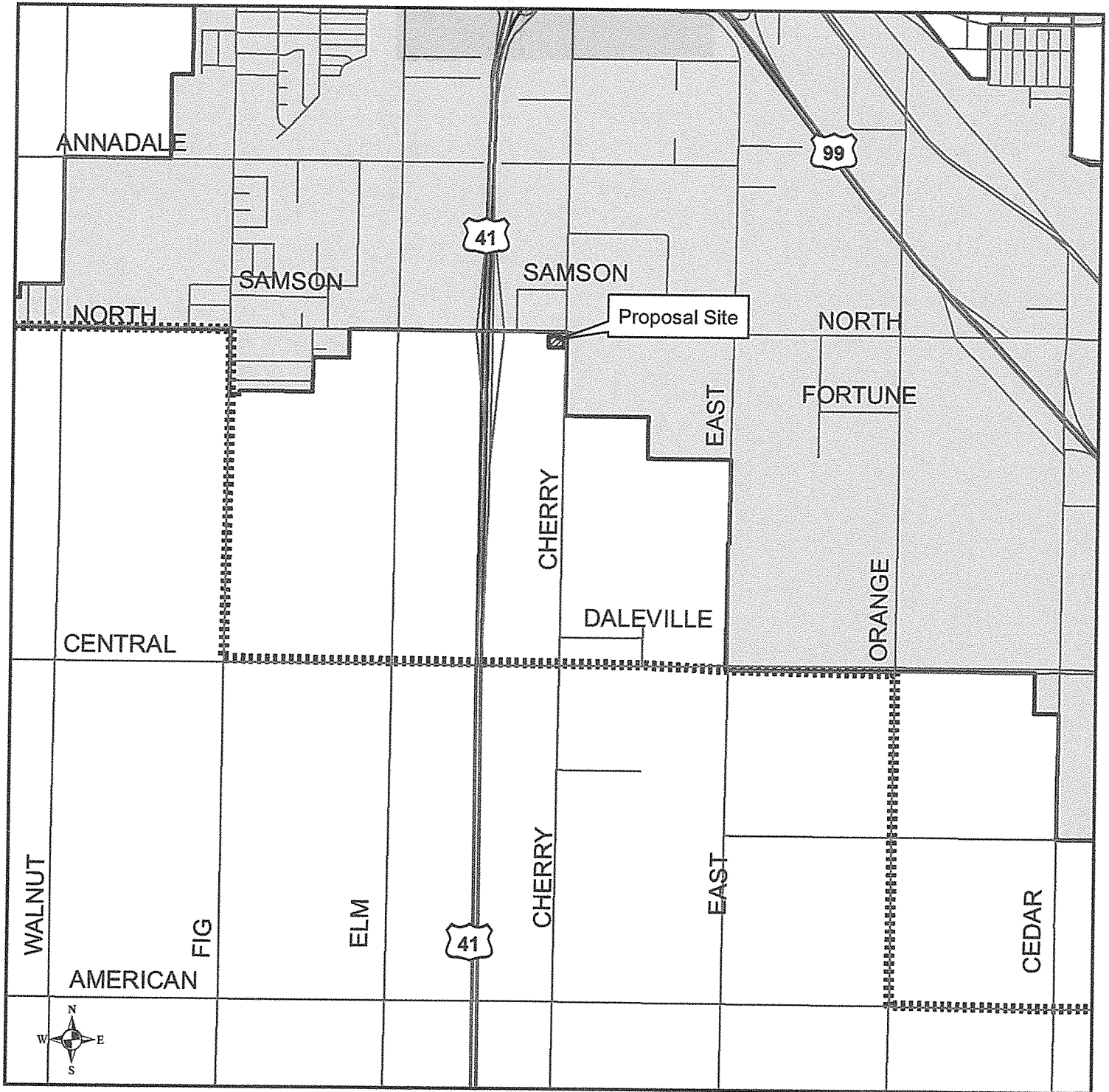
CERTIFICATION




I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, hereby certifies that the foregoing resolution was adopted by the Commission at a regular meeting held on the 9th day of December, 2015.



**David E. Fey, AICP, Executive Officer
Fresno Local Agency Formation Commission**

EXHIBIT A



-  North-Cherry No 3 Reorganization
-  City Limits, Fresno
-  Sphere of Influence, Fresno

North-Cherry No. 3 Reorganization City of Fresno