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

AGENDA ITEM No. 5B

DATE: July 8, 2015

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Approval: City of Clovis "Leonard-Dakota Northeast Reorganization." A reorganization to annex between 70.77 and 82 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the northeast corner of Leonard and Dakota Avenues (LAFCo File No. RO-15-3).

Applicant: City of Clovis

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

City of Clovis*	John Valentino*	Robert Truxell*	Pasquale DeSantis*
Carmela DeSantis*		EE&B, LLC (Fred C. Ede, III)	

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 "Leonard-Dakota Northeast 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 April 20, 2015, the City of Clovis initiated these proceedings with the adoption of Resolution No. 15-45, requesting that the Commission begin proceedings for the “Leonard-Dakota Northeast Reorganization” to annex 70.77 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation 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 proposed development conforms to the City’s General Plan and Loma Vista Specific Plan. The City of Clovis 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.

In April, 2015, staff met with Mr. Tracy Gill about including his family’s 11 acres in this proposal. Staff subsequently held a meeting on May 29, 2015 with Mr. and Mrs. Gill, City of Clovis planning staff, and Wilson Development representative Jeff Harris. This meeting was called to facilitate Mr. Gill’s request, and on May 8, 2015, staff provided him with a list of materials necessary to revise the Leonard-Dakota Northeast Reorganization pursuant to LAFCo policy 311, as long as this material was received by LAFCo in time to comply with the policy’s noticing requirements. Such material has not been received by staff. Mr. Gill may still annex the subject property independently of the Proposal.

Discussion

The proposal consists of the annexation of 70.77 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the northeast corner of Leonard and Dakota Avenues.

Tentative Tract Map No. 5716

Tentative Tract Map No. 5716 proposes the development of a 77-lot single-family residential subdivision on approximately 24 acres. On December 11, 2006, the Clovis City Council adopted Ordinance No. 06-51 and rezoned the territory to R-1-7500 (7,500 sq. ft. minimum lot size). The City of Clovis as “lead agency” conducted an initial study and on May 22, 2015 adopted a Mitigated Negative Declaration.

Tentative Tract Map No. 5998

Tentative Tract Map No. 5998 proposes the development of a 91-lot single-family residential subdivision on approximately 24 acres. On November 13, 2012, the Clovis City Council adopted Ordinance No. 12-10 and rezoned the territory to R-1 (6,000 sq. ft. minimum lot size).

The City of Clovis as “lead agency” conducted an initial study and on May 22, 2015 adopted a Mitigated Negative Declaration.

Tentative Tracy Map No. 6080

Tentative Tract Map No. 6080 proposes the development of a 77-lot single-family residential subdivision on approximately 20 acres. On January 12, 2015, the Clovis City Council adopted Ordinance No. 14-21 and rezoned the territory to R-1 (6,000 sq. ft. minimum lot size). The City of Clovis as “lead agency” conducted an initial study and on December 16, 2014 adopted a Negative Declaration.

Proposal / Land Use

- The territory is within the City of Clovis’ Sphere of Influence, adjacent to the city limits to the west (**Exhibit A**).
- The proposal consists of the annexation of 70.77 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- All properties within the project area have been rezoned to the Clovis R-1 and R-1-75 Zone Districts. The proposed uses conform to this rezoning.
- There are three tentative tract maps proposed for the territory (**Exhibit B**).
- The subject territory is located at the northeast corner of Leonard and Dakota Avenues (**Exhibit C**).
- The territory is uninhabited.
- The proposed development and reorganization conform to the City of Clovis’ General Plan and Loma Vista Specific Plan.
- The territory proposed for reorganization includes a residential home that will have an opportunity to connect to City sewer and water.

Environmental Determination

The City of Clovis adopted initial studies and notices of determination for all three tract maps and adopted a mitigated negative declaration for two of the tract maps and a negative declaration for one of the tract maps stating that the City of Clovis had determined that the projects would not have a significant effect on the environment and therefore the preparation of an environmental impact report is not necessary and there were no subsequent legal challenges. (See Environmental Documents on our website at www.fresnolafco.org)

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.

Staff Analysis

Relationship to Regional Housing Goals and Policies

The City of Clovis is currently updating their Housing Element to comply with the State regional housing allocations. The proposed project will assist the City’s Housing Element objectives.

Consistency with LAFCo Policies, Standards and Procedures

- The Proposal and rezoned R-R is consistent with the General Plan land use designation that designates the territory for Rural 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 Clovis and County of Fresno (see letter from Mr. John Navarrette, Fresno County CAO, March 4, 2015 - Correspondence and Comments).
- The City of Clovis 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 CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

APPLICATION INFORMATION

1. Subject Territory

Acreage:	70.77 acres
Current Land Use:	Rural Residential and Agriculture (oranges)
Number of Residences/ Population:	Residences:1 / Population: 3
Registered Voters:	Voters: 3
Assessor Parcel Number(s):	310-300-14, -34S, -37S and -38S

- 2. Proposed Development:** Three single-family residential subdivisions with a total of 245 lots.
- 3. Surrounding Territory:** Territory to the north is developed with some single-family residences and agriculture, and is mostly ag on the east, south, and west with a few rural residential properties.
- 4. Consistency with Adopted Sphere of Influence (SOI):** The subject territory is within the LAFCo-approved Sphere of Influence for Clovis.
- 5. Existing Service Agencies and Proposed Service Changes:**

Service	Existing Service	Change
Water	Private Well	City of Clovis
Sewer	Private Septic	City of Clovis
Fire Protection	Fresno Co. Fire Protection District	City of Clovis
Distance to Station	2.98 miles	2.1 miles

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

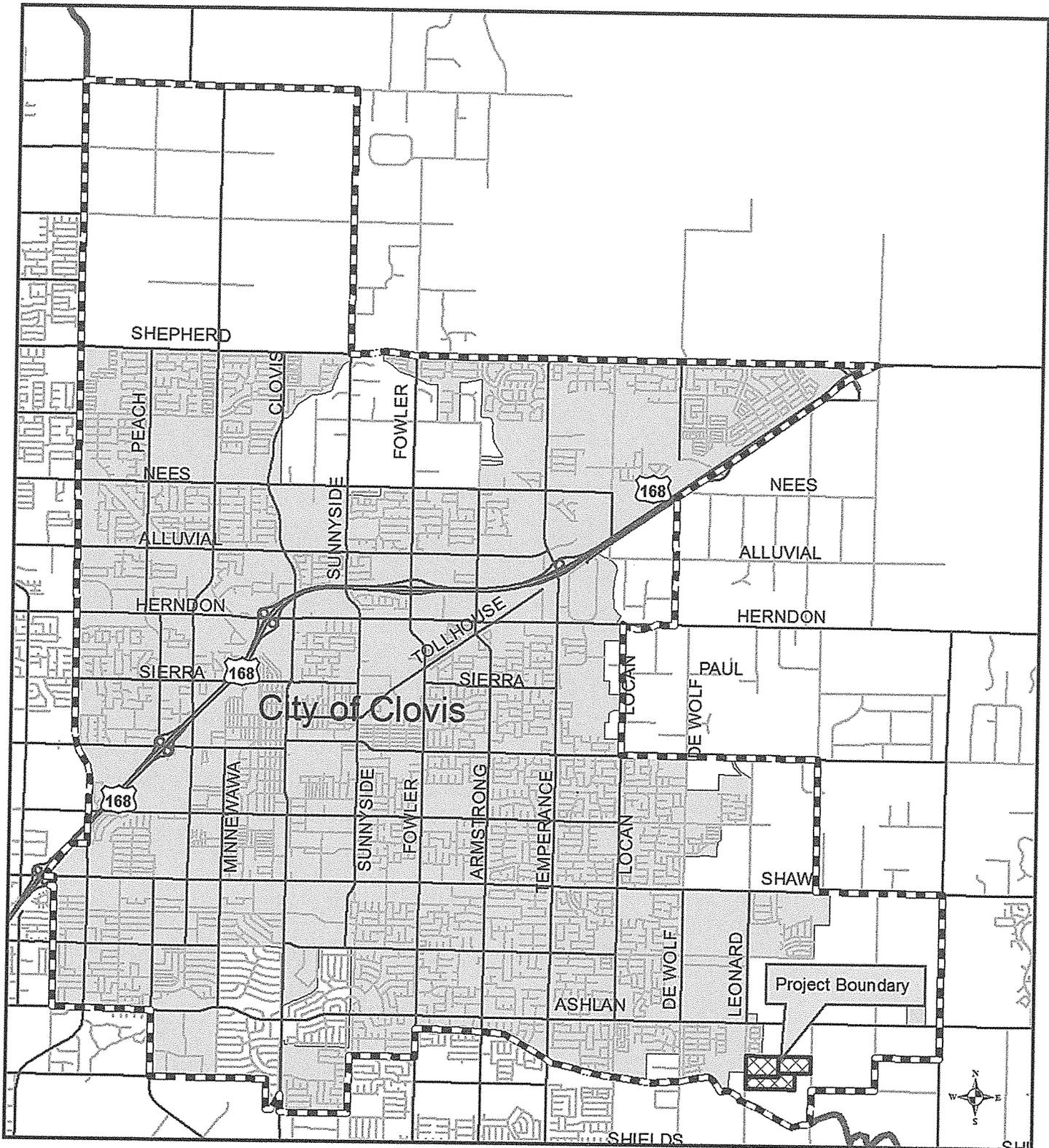
6. Cities and Districts Included Wholly or Partially Within the Subject Territory

Kings River Conservation District	Fresno County Fire Protection District
Fresno Co. Fire, Zone 10	Fresno Irrigation District
State Center Community College District	Clovis Unified School District
Clovis Cemetery District	County Service Area No. 35
Fresno Metropolitan Flood Control District	Fresno County Library

County of Fresno	Clovis Memorial District
Consolidated Mosquito Abatement Dist.	West Fresno County Red Scale Protective District

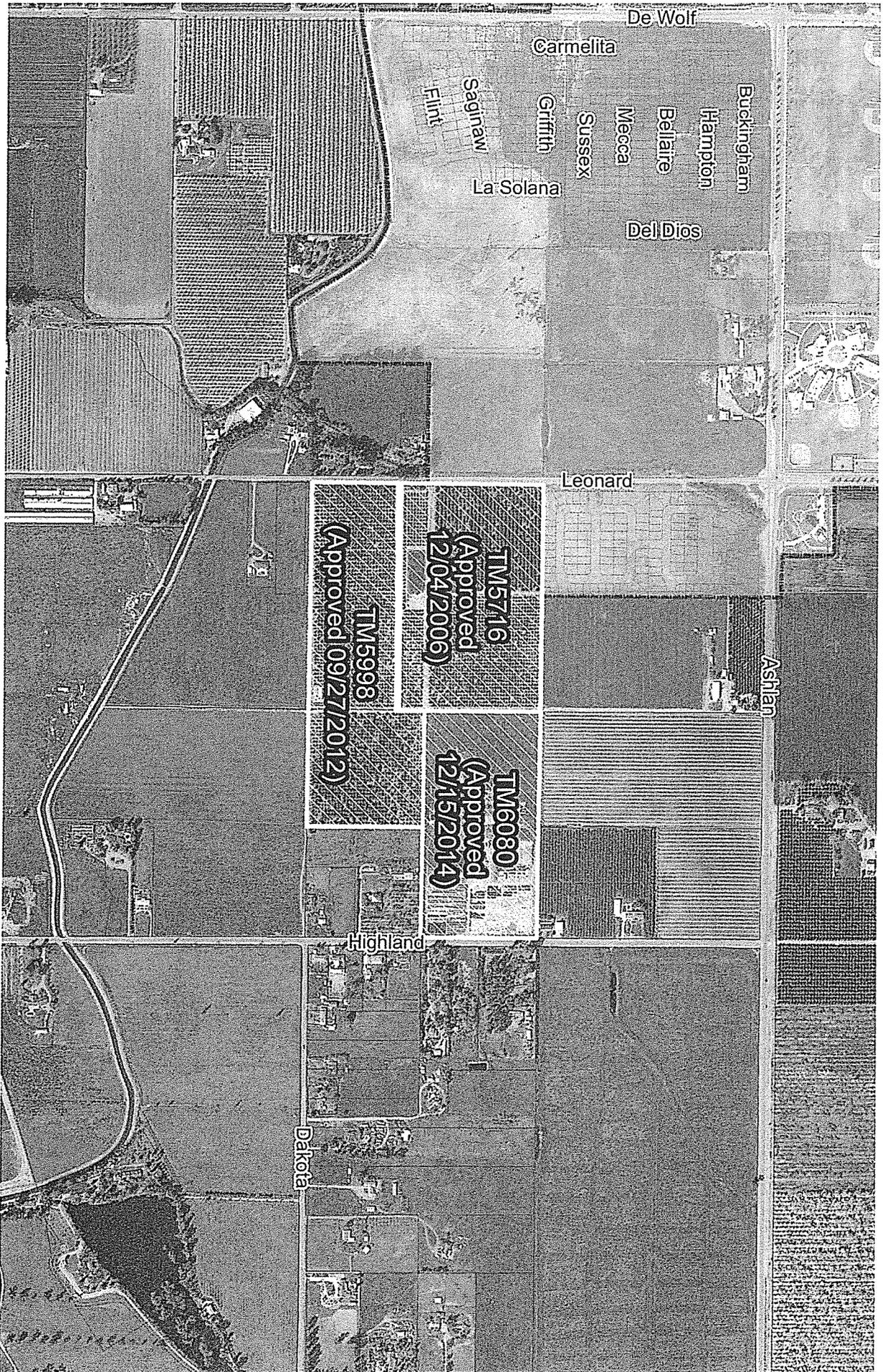
7. **Costs and Other Changes Affecting Residents or Landowners:** The costs of services will not change upon annexation. Residents will not be required to change services at the time of annexation. Existing residents will receive new City of Clovis addresses.
8. **Agencies and Individuals Submitting Comments:** (see Correspondence and Comments attached to the staff report on our website at www.fresnolaftco.org)
- John Navarrette, County Administrative Officer
 - Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
 - Laurel Prysiazny, County Librarian
 - Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
 - Ryan Lopez, IT Analyst, Fresno County Elections Department
 - Paul-Albert Marquez, Chief, Office of Transportation
 - Neda Shakeri, Engineer III, Fresno Metropolitan Flood Control 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 is adequate to file with the State Board of Equalization.
10. **Registered Voter Data:** The County of Fresno Elections Office reported that there were three (3) registered voters in the subject territory.
11. **Compliance with the Requirements of CEQA:**
- Lead Agency: City of Clovis
Level of Analysis: Initial Study
Finding: Mitigated Negative Declaration and 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
 - George Gonzalez, Associate Planner, City of Clovis
 - Jeff Harris, Wilson Homes
 - Goldie Lewis, McCaffrey Homes

EXHIBIT A



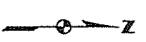
-  Leonard-Dakota NE Reorganization
-  Sphere of Influence, Clovis
-  City Limits, Clovis

Leonard-Dakota NE Reorganization City of Clovis



Leonard-Dakota NE Reorganization
Clovis City Limits

Leonard-Dakota NE Reorganization
Exhibit "B"



1" = 780'

Exhibit C

LEONARD-DAKOTA NORTHEAST REORGANIZATION

A PORTION OF THE NORTH HALF OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN AND THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNT DIABLO BASE AND MERIDIAN, TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT.

EAST

ASHLAN

AVENUE

1313/21 1813/22

2413/21 1913/22

LEONARD AVENUE

AVENUE

NORTH HIGHLAND

SCALE: 1" = 350'



EAST LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 APN: 309-021-18

APN: 309-021-17



6-3-15

EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.

APN: 310-290-25

SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.

1050'

[11] N 89°51'32" W 1983.90'

APN: 310-290-28

POINT OF BEGINNING, CENTER QUARTER CORNER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.

0'

350'

700'

1050'

[1] N89°51'32" W 20.00'



WEST LINE OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 APN: 310-300-62
 S 89°54'38" E
 641.41'

NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 APN: 310-300-63
 1302.83'

NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 NORTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 APN: 310-300-11 | APN: 310-300-12
 [7] S 89°54'51" E 1352.57'

APN: 310-300-14

APN: 310-300-72
 [3] N89°54'45" E 40.00'
 [4] N00°00'36" W 657.59'

AREA TO BE ANNEXED TO THE CITY OF CLOVIS
 770.770 ACRES

APN: 310-300-34

[9] N 89°53'12" W 691.29'
 NORTH LINE OF THE EAST HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 APN: 310-300-16
 WEST LINE OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B.&M.
 [10] S 00°00'03" W 661.97'

[8] S 00°00'04" E 662.30'

[2] N00°00'36" W 664.50'

APN: 310-300-33

APN: 310-300-32

APN: 310-300-38

APN: 310-300-39

APN: 310-300-38

PREPARED BY:
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DATE: 3-3-2015
 SCALE: 1" = 350'
 DRAWN BY: GJR & CD
 NO: 14-071 / 5888
 REVISIONS:
 5-28-2015

DRAWING NO. **1**
 OF 1 SHEETS