



RESOLUTION NO. 2020-235

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO INITIATE THE PREZONING AND ANNEXATION OF THE "DAKOTA-HAYES NO. 4 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO), SUBJECT TO APPROVAL OF A REVENUE AND TAXATION CODE SECTION 99 TAX SHARING AGREEMENT BETWEEN THE CITY OF FRESNO AND THE COUNTY OF FRESNO.

WHEREAS, Annexation Application No. P19-02239 has been filed with the City of Fresno by Precision Civil Engineering, Inc., on behalf of Edward Fanucchi, pertaining to approximately 230 acres of property located to the northeast of the West Dakota and North Hayes Intersection and to the west of North Hayes Avenue along the Dakota Alignment within the unincorporated portion of City's Sphere of Influence boundary; and

WHEREAS, Annexation Application No. P19-02239 proposes to initiate annexation proceedings to request a change of organization ("Dakota-Hayes No. 4 Reorganization") resulting in an annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District, of certain property consisting of approximately 230 acres and hereinafter called "subject territory," and

WHEREAS, LAFCO requires that the subject territory be pre-zoned consistent with the City of Fresno General Plan ("General Plan") prior to the initiation of annexation proceeding; and

WHEREAS, it has been determined that pre-zoning the subject territory with the RS-3/UGM/ANX (*Residential Single Family, Low Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*), RS-5/UGM/ANX (*Residential Single*

1 of 4

Date Adopted: 09/17/2020
Date Approved: 09/25/2020
Effective Date: 09/25/2020

Resolution No. 2020-235



Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay), RM-2/UGM/ANX (Multi-Family Residential, Urban Neighborhood / Urban Growth Management / Annexed Rural Residential Transitional Overlay), OS/UGM/ANX (Open Space/Urban Growth Management/Annexed Rural Residential Transitional Overlay) and RS-5/UGM (Residential Single Family, Medium Density/Urban Growth Management) zone districts is consistent with the General Plan; and

WHEREAS, the annexation will be made pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contained in Division 3 of Title 5 commencing with Section 56000 of the California Government Code; and

WHEREAS, this proposal is within the established sphere of influence of the City of Fresno; and

WHEREAS, the proposed reorganization is inhabited under the definition of Section 56046 of the California Government Code; and

WHEREAS, municipal services for the subject territory will be provided in a manner described in the Service Delivery Plan pursuant to the requirements set forth in Government Code Section 56653; and

WHEREAS, this proposed reorganization will result in logical growth, the provision of municipal services, and the application of appropriate development standards and controls within the City of Fresno, and implements the Council's policy to unify the metropolitan area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council initiates a pre-zone of the subject territory from the Fresno County RR (*Rural Residential*) to the City of Fresno RS-5/UGM (*Single Family*



Residential, Medium Density/Urban Growth Management), RS-3/UGM/ANX (Single Family Residential, Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay), RS-5/UGM/ANX (Medium Density Residential, Single Family/Urban Growth Management/Annexed Rural Residential Transitional Overlay), RM-2/UGM/ANX (Multi-Family Residential, Urban Neighborhood/Urban Growth Management/Annexed Rural Residential Transitional Overlay), and OS/UGM/ANX (Open Space/Urban Growth Management/Annexed Rural Residential Overlay) zone districts, as depicted in Exhibit "A", and including the necessary environmental review pursuant to the California Environmental Quality Act.

2. Subject to approval of a Revenue and Taxation Code Section 99 tax sharing agreement between the City of Fresno and the County of Fresno evidencing revenue neutrality to the City of Fresno as required by Fresno Municipal Code Section 15-6104 (C), the Council authorizes the City Manager or his/her designee to sign and submit a complete application to LAFCo for the proposed Reorganization requesting the annexation take place in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Council directs staff to take all necessary steps to submit a complete application for the proposed annexation, including preparation and submittal of all LAFCo required forms, documents, and studies and payment of all required fees, including a Fire Transition fee, determined in accordance with the Transition Agreement between the City of Fresno and the Fresno County Fire Protection District Regarding the Transfer of Certain General Ad Valorem Real Property Tax Revenue Generated by Annexations.

* * * * *



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 17th day of September, 2020.

AYES : Bredefeld, Caprioglio, Chavez, Esparza, Karbassi, Soria, Arias
NOES : None
ABSENT : None
ABSTAIN : None

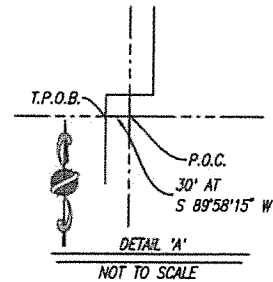
YVONNE SPENCE, MMC CRM
City Clerk

By: Yvonne Spence 10/17/2020
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Rina Gonzales 10/17/2020
Deputy City Attorney Date

Attachment: Exhibit A – Annexation Boundary



A circular professional seal for a Licensed Land Surveyor in the State of California. The outer ring contains the text "LICENSED LAND SURVEYOR" at the top and "STATE OF CALIFORNIA" at the bottom, separated by two five-pointed stars. The center of the seal contains the name "PETER D. COHRS", the license number "LS 5096", and the expiration date "Exp. Date 6-30-21".



DAKOTA – HAYES No. 4

Annexation to the City of Fresno and Detachment from xxxxxxxxxx

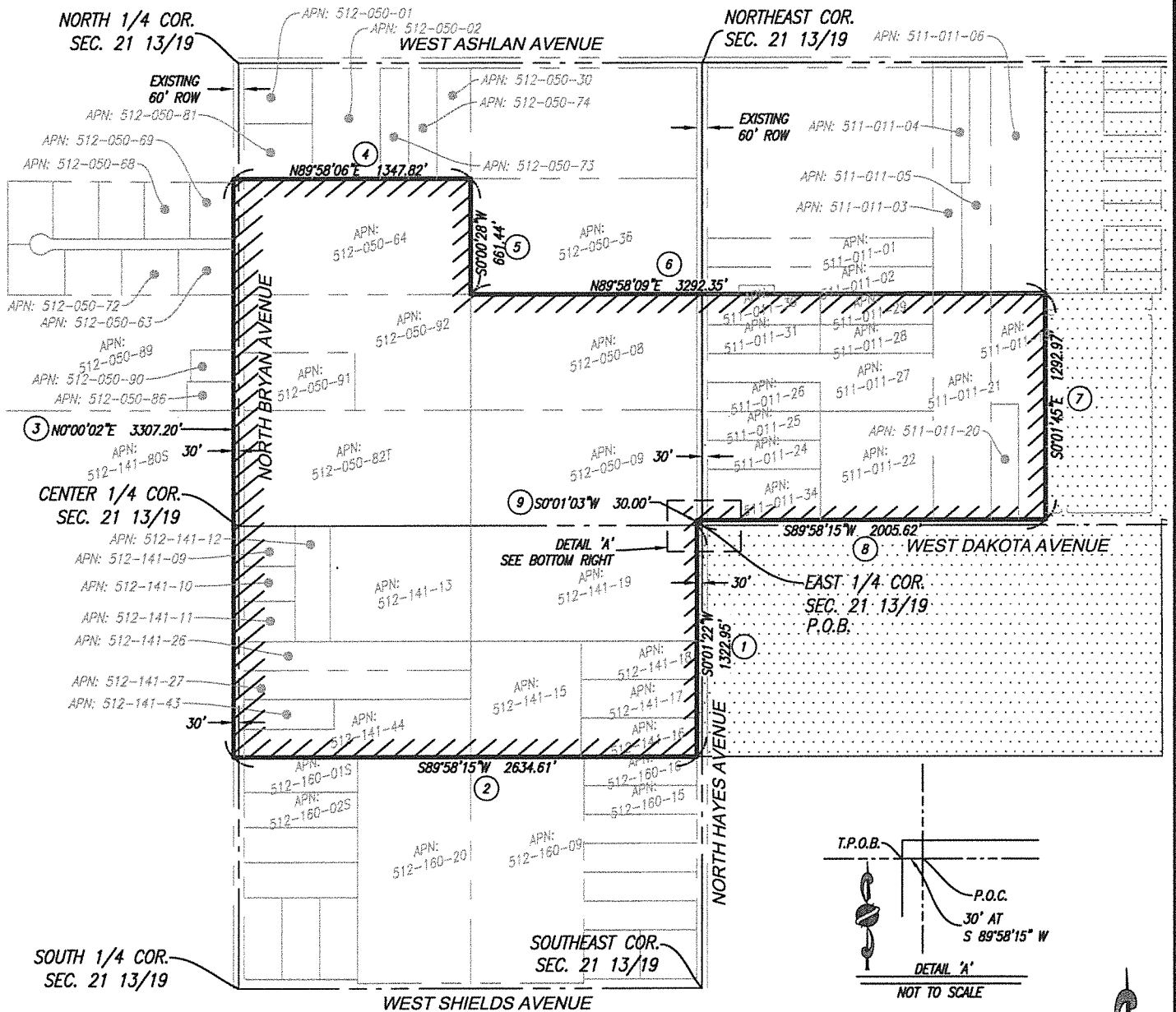
That portion of Section 21 in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

COMMENCING at the East quarter corner of said Section 21; thence South 89° 58' 15" West, a distance of 30 feet to the True Point of Beginning; thence

- 1) South 00° 01' 22" West, along the west line of the Southeast quarter of said Section 21, and along the existing City of Fresno Limits line, a distance of 1322.95 feet; thence
- 2) South 89° 58' 15" West, leaving the City of Fresno City Limits line, a distance of 2634.61 feet to a point on a line that is parallel with and 30.00 feet west of the west line of the Southeast quarter of said Section 21, being the west right of way line of North Bryan Avenue; thence
- 3) North 00° 00' 02" East, along said parallel line and said west right of way line, a distance of 3307.20 feet; thence
- 4) North 89° 58' 06" East, a distance of 1347.82 feet; thence
- 5) South 00° 00' 28" West, a distance of 661.44 feet; thence
- 6) North 89° 58' 09" East, a distance of 3292.35 feet to a point on a line that is parallel with the east line of said Northeast quarter; thence
- 7) South 00° 01' 45" East, along last said parallel line, a distance of 1292.97 feet to a point on the existing City of Fresno Limits line, said point being on a line that is parallel with and 30.00 feet north of the north line of the Southwest quarter of Section 22 of said Township and Range; thence
- 8) South 89° 58' 15" West, along the existing City of Fresno Limits line and along last said parallel line, a distance of 2005.62 feet to a point on the northerly prolongation of a line that is parallel with and 30.00 feet west of the east line of the Southeast quarter of said Section 21; thence
- 9) South 00° 01' 03" West, along the existing City of Fresno Limits line and along last said parallel line, a distance of 30.00 feet to the True Point of Beginning.

Contains an area of: 10,455,880.36 Square Feet or 240.03 Acres

P:\CIVIL 3D PROJECTS\2018\18-007 SURVEY AND MAPPING\SURVEY EXHIBIT\18-007 ANNEXATION EXHIBIT.DWG 10/26/2020 9:40:34 AM



LEGEND:

- | | | | |
|-----|-------------------------------------|---------------|---|
| # | COURSE CALL OF
LEGAL DESCRIPTION | P.O.B. | POINT OF BEGINNING |
| --- | PROPERTY LINE | [Dotted Box] | EXISTING CITY LIMITS |
| --- | SECTION LINE | [Hatched Box] | AREA TO BE ANNEXED TO
THE CITY OF FRESNO
TOTAL AREA: ±240.03 AC |

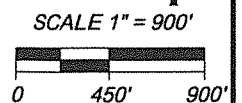


EXHIBIT
DESCRIPTION:
ANNEXATION TO
THE CITY OF FRESNO

PROJECT NAME:
TRACT 6234
DAKOTA & HAYES
10/26/2020 18-007

FIGURE
1