

RESOLUTION NO. 2021-44

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE
PROCEEDINGS FOR THE NORTH ACADEMY CORRIDOR MASTER PLAN AREA
REORGANIZATION (INITIATE ANNEXATION)**

WHEREAS, the City of Sanger desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the North Academy Corridor Master Plan Area (“Master Plan” or “Affected Territory”); and

WHEREAS, Government Code section 56654 provides that “[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency;” and

WHEREAS, the proposed reorganization consists of annexation of the Master Plan Area to the City of Sanger and detachment from the County of Fresno, Consolidated Irrigation District, Fresno Irrigation District, Fresno County Fire Protection District, Fresno County Fire Protection District - Community Facilities District Zone 2, and the Kings River Conservation District; and

WHEREAS, the Affected Territory proposed to be reorganized is inhabited, and on this day contains 29 registered voters, according to information received from the Fresno County Elections Officer; and

WHEREAS, a written description and map of the boundaries for the Affected Territory is set forth in Exhibit “A” attached hereto and by this reference incorporated herein; and

WHEREAS, this Master Plan Area is consistent with the sphere of influence for the City of Sanger; and

WHEREAS, the City has an agreement with the County of Fresno to comply with Revenue and Tax Code section 99 regarding property tax revenue transfer upon annexation, which agreement includes standards of annexations; and

WHEREAS, the City does not propose any specific term and conditions for the proposed reorganization; and

WHEREAS, the reasons for this proposed reorganization is to allow for the implementation of recently-adopted City of Sanger 2035 General Plan, which was a comprehensive update to the City’s then-existing General Plan; and

WHEREAS, as part of this process the City of Sanger adopted the Master Plan, which further implemented the 2035 General Plan update, and certified an Environmental Impact Report(EIR) (SCH #2018031047) for the update and Master Plan including Findings of Overriding Consideration for the potential loss of agricultural lands; and

WHEREAS, the Master Plan Area contains 29 unincorporated parcels that encompass 283.7 +/- acres within the existing sphere of influence for the City of Sanger, and is generally centered along Academy Avenue, from the northern city limits to State Highway 180 (see Exhibit A); and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) the City has conducted an environmental analysis for the proposed reorganization, which is a project that is consistent with the 2035 General Plan EIR; and

WHEREAS, the Planning Commission held a public hearing on April 22, 2021, to consider a recommendation to the City Council regarding the reorganization for the Master Plan area; and

WHEREAS, at a continued hearing on April 29, 2021, after due consideration of all the items before it, the Planning Commission adopted Resolution 2021-05 recommending the City Council to initiate proceedings for the entire Master Plan Area, by adopting a resolution of application requesting the Local Agency Formation Commission of Fresno County to initiate proceedings for the reorganization of the Affected Territory as described in Exhibit “A” in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the City Council has also considered and concurrently adopted Zoning Ordinance Amendment No. 2021-02, which approved the various prezone district designations for the Affected Territory, which shall become effective upon annexation to the City; and

WHEREAS, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

WHEREAS, after due consideration of all the items before it, the City Council now desires to adopt this Resolution to initiate proceedings for the North Academy Corridor Master Plan Area.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANGER RESOLVES AS FOLLOWS:

1. **Recitals.** The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. **CEQA.** The City Council finds the project is consistent with the Environmental Impact Report (EIR) (SCH #2018031047) certified by the City for the 2035 General Plan. The EIR analyzed the impacts of development anticipated in the Master Plan area. The 2035 General Plan and its EIR specifically contemplated both annexation and change of zone designations for properties whose land use designations were changed under the 2035 General Plan, and identified such actions as being subject to streamlining under CEQA based on consistency with those documents. The impacts associated with both the pre-zone and annexation were previously analyzed in the EIR. The City Council finds that there is no substantial new evidence in the record that this project may have additional significant impacts that were not

analyzed as significant adverse effects in the EIR. Additionally, there is no substantial new evidence of potentially significant off-site impacts and cumulative impacts that were not discussed in the EIR, and no potentially significant adverse effects peculiar to the project. Finally, the City Council finds that there are no previously identified significant effects, which as a result of substantial new information which was not known at the time the EIR was certified, that have a more severe adverse impact than assessed in the EIR. Given the forgoing, the City Council adopts a Finding of Consistency for this project.

- 3. General Plan Consistency. The City Council finds that the annexation is consistent with the goals, objectives, and policies of the Sanger General Plan, including the North Academy Corridor Master Plan.

- 4. Initiation of Annexation. The City Council adopts and approves this Resolution of application, and initiates annexation for the entire North Academy Corridor Master Plan. The Local Agency Formation Commission of Fresno County is requested to initiate proceedings for the change of organization of the territory, as specifically described in Exhibit "A" and generally described in Exhibit "B," from the County of Fresno to the City of Sanger in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, including the following districts: Fresno County Fire Protection District, Fresno County Fire Protection District - Community Facilities District Zone 2, Kings River Conservation District, and Fresno Irrigation District. The City Council directs the City Manager 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, in accordance with any applicable agreement with the County of Fresno governing the same.

- 5. Effective Date. This Resolution shall take effect and be in full force and effect from and after thirty (30) days after its adoption.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Sanger at a regular meeting thereof held on the 15th day of July 2021 by the following vote:

AYES: ONTIVEROS, MARTINEZ, GARZA, HURTADO, MONTELONGO
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:


Rebeca Ramirez
City Clerk

APPROVED:


Eli Ontiveros, Mayor
City of Sanger

Exhibit A: Legal description of North Academy Corridor Master Plan annexation area

Exhibit B: Parcels comprising the North Academy Corridor Master Plan Annexation area

EXHIBIT A
LEGAL DESCRIPTION OF NORTH ACADEMY CORRIDOR MASTER PLAN
ANNEXATION AREA

All that portion of Section 10 and Section 11, Township 14 South, Range 22 East, Mount Diablo Base and Meridian according to the Official United States Government Plat approved by the Surveyor General on December 21, 1854, described as follows:

Beginning at the Southeast corner of said Section 10;

Thence (1) South $89^{\circ}45'09''$ West, along South Line said Section 10 a distance of 523.09 feet;

Thence (2) North $0^{\circ}32'10''$ East 1321.65 feet to a point on the North Line of the Southeast Quarter of the Southeast Quarter of said Section 10;

Thence (3) South $89^{\circ}46'52''$ West along said North Line a distance of 1034.84 feet;

Thence (4) Leaving said North Line, North $0^{\circ}06'11''$ East 661.07 feet;

Thence (5) North $89^{\circ}47'49''$ East 1039.86 feet;

Thence (6) North $0^{\circ}32'18''$ East 660.83 feet to a point on the South Line of the Northeast Quarter of said Section 10;

Thence (7) North $89^{\circ}48'46''$ East along said South Line a distance of 523.03 feet to the East Quarter Corner of said Section 10;

Thence (8) South $0^{\circ}32'10''$ West along the East Line of the Southeast Quarter of said Section 10, a distance of 2642.77 feet to Southeast Corner of said Section 10 and the Point of Beginning.

Together with the West half of the Southwest Quarter of Said Section 11;

Together with the East half of the Northeast Quarter of Said Section 10 and the West half of the Northwest Quarter of Said Section 11,

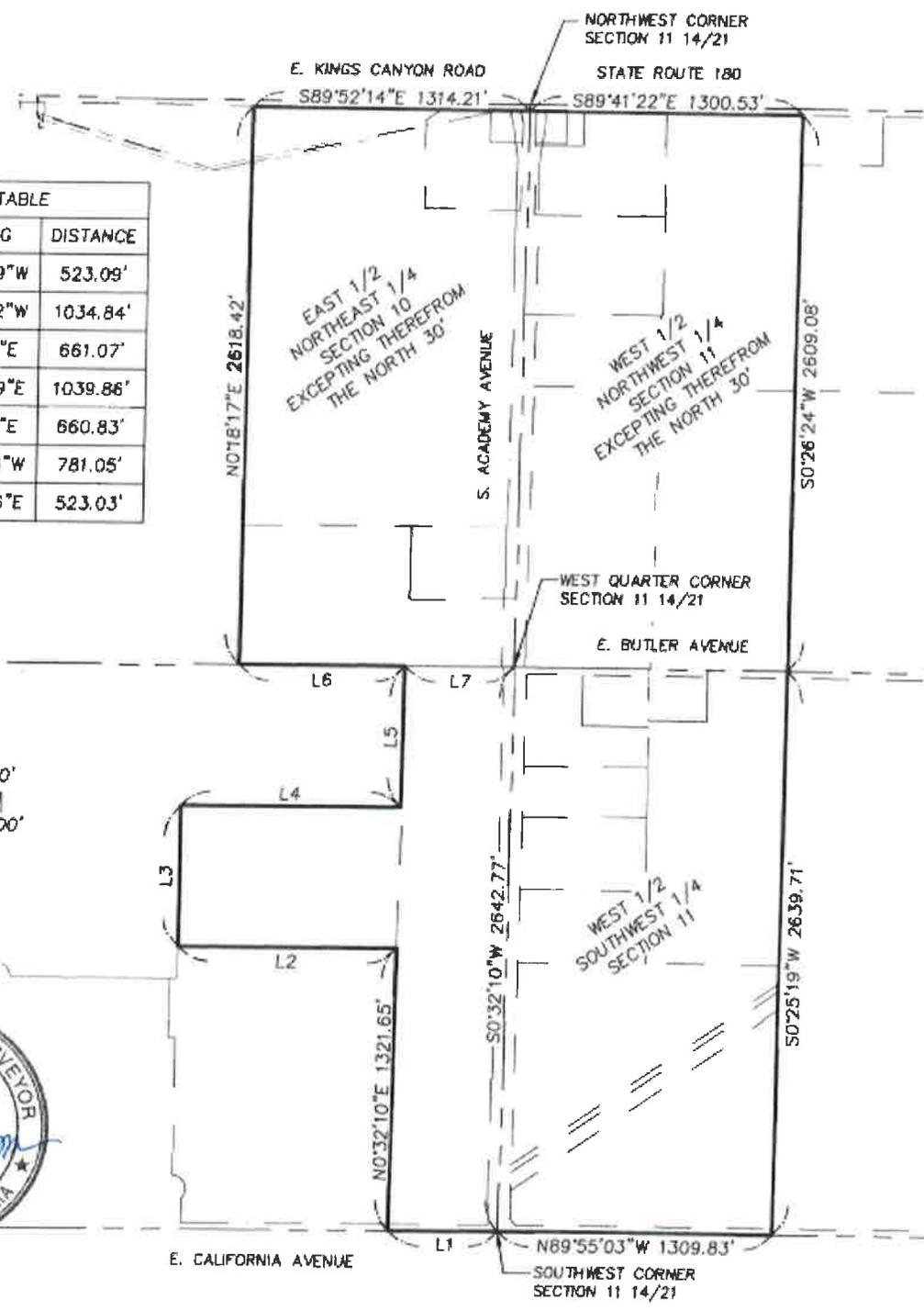
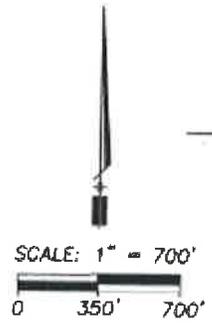
Excepting therefrom the North 30.00 feet.

Contains an area of 283.37 Acres, more or less
Dated: June 14, 2021

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°45'09"W	523.09'
L2	S89°46'52"W	1034.84'
L3	N0°06'11"E	661.07'
L4	N89°47'49"E	1039.86'
L5	N0°32'18"E	660.83'
L6	S89°48'46"W	781.05'
L7	N89°48'46"E	523.03'



<p>Yamabe & Horn Engineering, Inc. CIVIL ENGINEERS • LAND SURVEYORS 2008 N. BUTLER AVENUE SUITE 101 PLEASANTON, CA 94527 TEL: (925) 244-2122 WEBSITE: YANABE-HORN.COM</p>	PROJECT TITLE	ANNEXATION EXHIBIT	Date: 06/11/21
	SHEET DESCRIPTION	NORTH ACADEMY CORRIDOR ANNEXATION	Scale: As Noted
			YH Job No. 21-221
			Sheet No. 1
			of 1 Sheets

Plot By: Walt Thomas Plot Date: 6/14/2021 File Location: F:\2021\21-221\New\g\Exhibit\21-221_EX01_2021-06-11.dwg