

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

CONSENT AGENDA ITEM No. 5-D

DATE: June 14, 2017

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

BY: Juan Lara, LAFCo Analyst

SUBJECT: **Consider Approval - City of Clovis "Gettysburg-Highland Northeast Reorganization."** A proposed reorganization consisting of the annexation of 27.14 acres to the City of Clovis and detachment from Fresno County Fire Protection District and Kings River Conservation District for territory located on the northeast corner of Gettysburg and Highland Avenues. (LAFCo File No. RO-17-4).

Applicant: George Gonzalez, MPA, City of Clovis

Land Owners/Parties of Real Interest (100% consent): City of Clovis, Cressey River, LLC, Manny Penn, Thida Penn.

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

RECOMMENDATION: Approve by taking the following actions:

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 Proposal 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.
2. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
3. Find pursuant to CKH and information in the record that:
 - A. The territory is uninhabited; and
 - B. All landowners and affected agencies have consented to the reorganization.
4. Assign the distinctive short form designation "Gettysburg- Highland Northeast Reorganization" and approve the annexation and detachments subject to the following condition 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. Ownership of land permitting, the annexation shall include the full-width right-of-way along Gettysburg Avenue.
5. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On April 18, 2017, The City of Clovis initiated this reorganization with the adoption of Resolution No. 17-23 requesting that the Commission begin proceedings for the "Gettysburg-Highland Northeast Reorganization" to annex approximately 27.14 acres located on the northeast corner of Gettysburg and Highland Avenues and detach from the Fresno County Fire Protection District, and the Kings River Conservation District.

The Fresno County Administrative Officer 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 Clovis General Plan. The proposed development conforms to the Clovis Loma Vista Specific Plan.

Proposal

The Proposal consists of the annexation of 27.14 acres located on the northeast corner of Gettysburg and Highland Avenues in the County of Fresno and detachment from the Fresno County Fire Protection District and Kings River Conversation District.

Proposal/Land Use

- The affected territory is within the City of Clovis sphere of influence and is contiguous to the Clovis city limits (**Exhibit A**).
- The proposal consists of the annexation of 27.14 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and The Kings River Conservation District.
- The affected territory is located on the northeast corner of Gettysburg and Highland Avenues
- The proposal is currently zoned AE-20 (Agricultural) and will be rezoned to the City of Clovis R-1 (Single Family Residential-6,000 SQ. FT.) zone district rezone by application R2014-04 upon annexation.
- The territory is uninhabited (11 or fewer registered voters).

Relationship to Regional Housing Goals and Policies

The affected territory is located within the City of Clovis sphere of influence and is contiguous to the City's incorporated boundary along all property lines. The affected territory is currently planned for agricultural land uses by the Fresno County General plan. Rezone Application No. 2014-04 and Annexation Application No. RO277 was filed with the City of Clovis for the subject 27.14 acres. The affected territory will be included in the development of 27.13 acres which will be future improved to a 155-lot single- family residential development.

Land Conservation Contract

The affected territory is subject to Land Conservation Contract No. 136, which was entered into on February 27, 1968. The LCC originally encompassed a much larger area but has been subsequently subdivided into smaller parcels. As each of the smaller parcels was annexed, the LCC was cancelled. A Notice of Partial Non-Renewal for the Proposal was filed on August 22, 2002, and that portion of the original LCC expired on December 31, 2011.

Environmental Determination

The City of Clovis as "lead agency" adopted an Addendum to the Mitigated Negative Declaration prepared for annexation application No. RO277, Rezone application No. R2012-04 and Site Plan Review SPR2008-10 See initial study 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.

APPLICATION INFORMATION

1. Affected Territory

Acreage:	27.14
Current Land Use:	Agricultural
Number of Residences/ Population:	Residents / Population: 3
Registered Voters:	Voters: 1
Assessor Parcel Number(s):	571-010-13S, 571-010-14S, 571-010-16S, 571-010-15S

2. Proposed Development – The affected territory will be developed with a 155-lot single-family residential development.
3. Surrounding Territory – Agricultural to the north, east, and south. Multi- Family residential to the west.
4. Consistency with Adopted Sphere of Influence (SOI) - The affected territory is within the LAFCo-approved Sphere of Influence for the City of Clovis.

5. Consistency with City and County General Plans - The Proposal will be consistent with the City of Clovis General Plan once annexed. The Proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full range of municipal services are available to serve urban development.

6. Existing Service Agencies and Proposed Service Changes

Service	Existing Service	Change
Water	Privet Well	City of Clovis
Sewer	Septic	City of Clovis
Fire Protection	Fresno County Fire Protection District	Clovis Fire Department

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

7. Cities and Districts Included wholly or partially within the Affected territory

Kings River Conservation District	Fresno County Fire Protection District
West Fresno Red Scale Protection Dist.	Fresno Irrigation District
State Center Community College District	County Service Area No. 35
Consolidated Mosquito Abatement Dist.	Fresno County Library
County of Fresno	Fresno Metropolitan Flood Control Dist.
Clovis Unified School District	Clovis Cemetery District
Clovis Memorial District	West Fresno Co. Red Scale Protect. Dist.

8. Costs and Other Changes Affecting Residents or Landowners - None reported by the City of Clovis staff.

9. Consistency with LAFCo Policies, Standards and Procedures

- All properties within the Proposal have been prezoned to the Clovis R-1 (Single Family Residential-6,000 SQ. FT.) zone District. Rezone application No. R2012-04 proposes to pre-zone the affected territory from AE-20 (Agricultural) to the R-1 (Single Family Residential-6,000 SQ. FT.)Zone District.
- 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. Jean Rousseau).
- 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 the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

10. Agencies and Individuals Submitting Comments

- Jean Rousseau, County Administrative Officer
- Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Laurel Pryszazny, County Librarian
- Bob Notley, Senior Engineering Technician, Fresno Metropolitan Flood Control District

11. Territory Boundaries - The boundaries of the proposed annexation **are** definite and certain and the County Assessor has determined that the map and legal description **are adequate** to file with the State Board of Equalization.

12. Registered Voter Data - The County of Fresno Elections Office reported that there was **one**-registered voters in the affected territory.

13. Compliance with the Requirements of CEQA

Lead Agency: City of Clovis

Level of Analysis: Initial Study

Finding: Addendum to the Fresno Mitigated Negative Declaration (see Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the June 14, 2017 file).

14. Public Notice of Hearing - This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.

15. Individuals and Agencies Receiving this Report

- 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
- Paul Peschel, District Manager, Kings River Conservation District
- Fresno County Fire Protection District
- George Gonzalez, MPA, City of Clovis
- John Peterson
- Manny Penn

EXHIBIT A

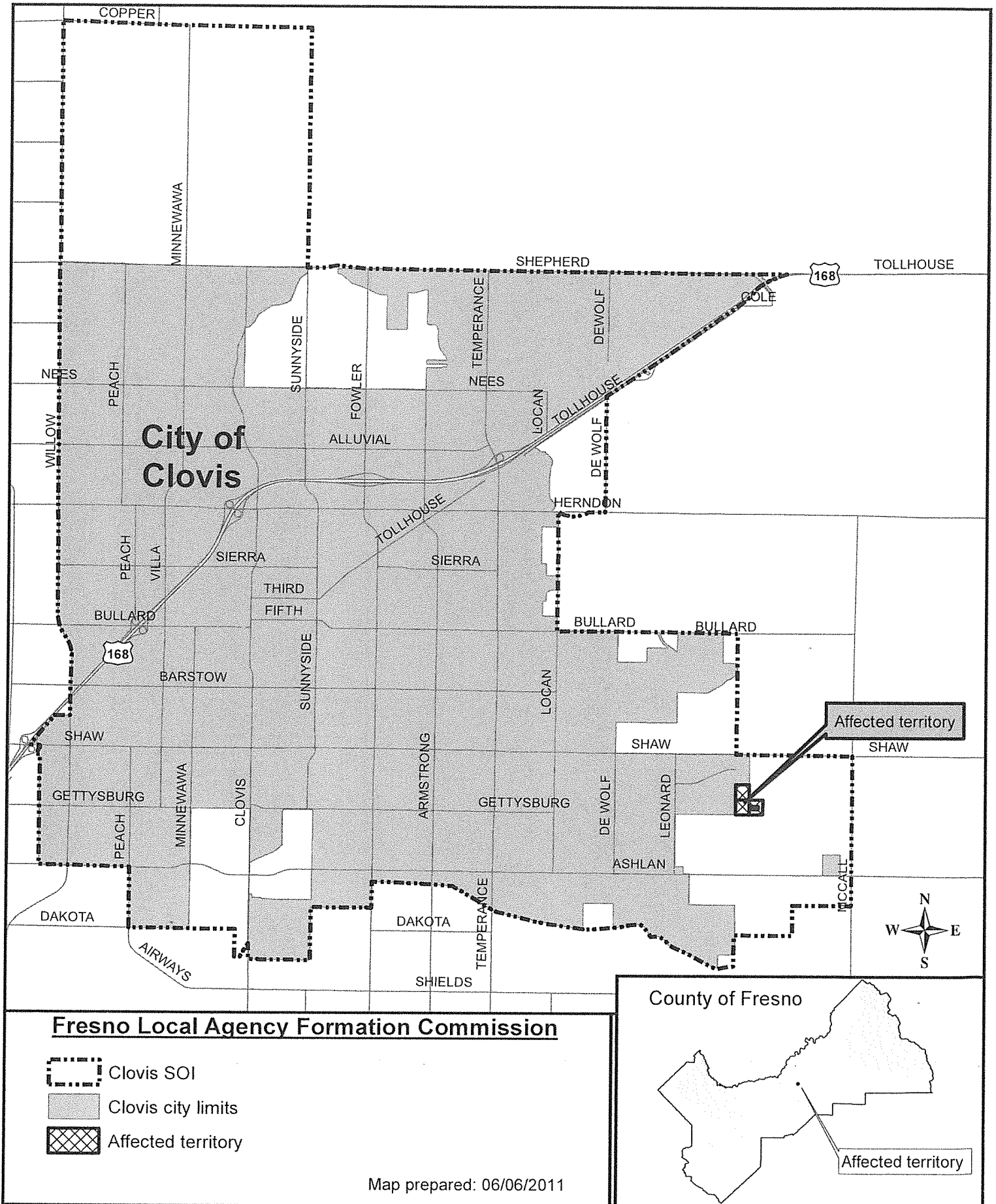
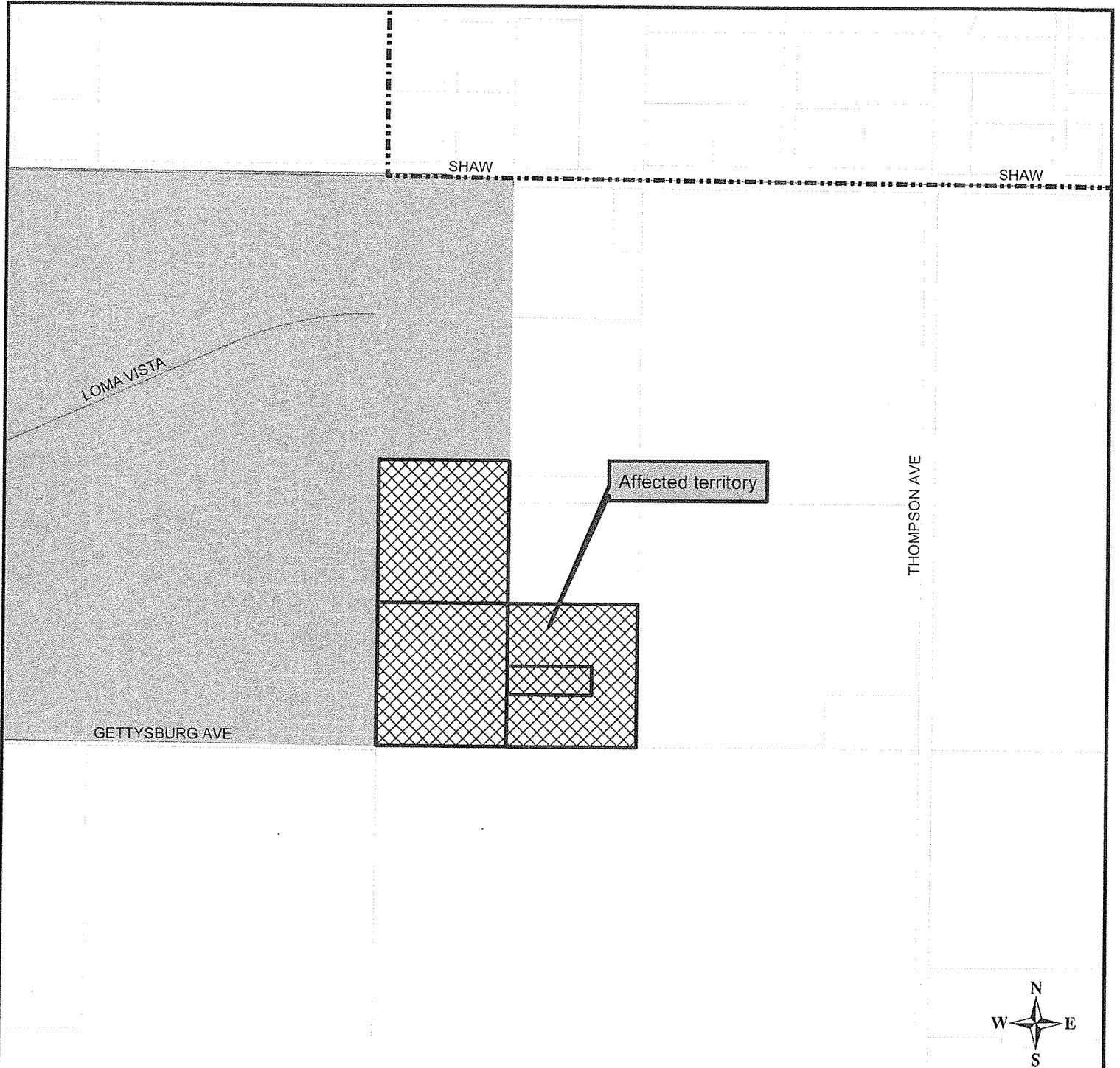





EXHIBIT B



Fresno Local Agency Formation Commission

-  Clovis SOI
-  Clovis city limits
-  Affected territory

Map prepared: 06/06/2011

County of Fresno

