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

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CONSENT AGENDA ITEM NO. 5E

**DATE:** September 12, 2016

**TO:** Fresno Local Agency Formation Commission

**FROM:** David E. Fey, AICP, Executive Officer 

**SUBJECT:** Consider Approval: City of Fresno "Olive-Polk No.1 Reorganization." A proposed reorganization consisting of the annexation of 4.81 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located on the Northeast corner of Olive and Polk Avenues (LAFCo File No. RO-16-6).

**Applicant:** Bruce Rudd, City Manager, City of Fresno

**Land Owners/Parties of Real Interest (100% consent):** City of Fresno, Patty Nishikawa.

(This proposed reorganization has been placed on the consent agenda because the territory is uninhabited 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 "Olive-Polk No.1 Reorganization" and approve the 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

5. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

### Executive Summary

On August 11, 2016, the City of Fresno initiated this reorganization with the adoption of Resolution No. 2016-132, requesting that the Commission begin proceedings for the "Olive-Polk No.1 Reorganization" to annex 4.81 acres to the City of Fresno and detach from the North Central Fire Protection District, and the Kings River Conservation District for territory located on the Northeast corner of Olive and Polk Avenues.

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 City's general Plan. The City of Fresno and the North Central Fire Protection District have a fire transition agreement in place as required by commission policy section 102-04

### Proposal

The Proposal consists of the annexation of 4.81 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for the territory located on the Northeast corner of Olive and Polk Avenues.

### Proposal/Land Use

- The territory is within the City of Fresno's sphere of influence, northwest of the City limits **(Exhibit A)**.
- The proposal consists of the annexation of 4.81 acres to the City of Fresno and detachment from the North Central Fire Protection and The Kings River Conservation District.
- The subject territory is located on the northeast corner of Olive and Polk Avenues.
- The proposal is currently zoned RR (rural residential) zone district and will be rezoned to the RS-5/UGM (residential single-family, medium density/urban growth management) zone district pursuant to rezone application R-16-004.
- The territory is uninhabited.

### Relationship to Regional Housing Goals and Policies

The subject territory is located within the city of Fresno's sphere of influence and is contiguous to the City's incorporated boundary along the westerly, northerly and easterly property lines. The subject territory is currently planned for medium-density residential land uses by the Fresno General plan. Rezone application No.R-16-004 and annexation application No. ANX-16-001 was filed with the City of Fresno for the subject 4.81 acres. The subject territory will be included in the development of 38.7 acres for a 201-single-family residential subdivision (Vesting Tentative Tract Map No.6139/UMG).

**Environmental Determination**

The City of Fresno as “lead agency” adopted a finding of conformity to the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). See initial study at [www.fresnolafco.org](http://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. Subject Territory**

<b>Acreage:</b>	4.81
<b>Current Land Use:</b>	Rural residential
<b>Number of Residences/ Population:</b>	Residences:1 / Population: 3
<b>Registered Voters:</b>	Voters: 2
<b>Assessor Parcel Number(s):</b>	312-430-10

- 2. **Proposed Development** - The territory proposed for annexation will be developed with a conventional 201-lot single family residential development.
- 3. **Surrounding Territory** – Single-family medium-density to the west, east, and north; rural-residential and agriculture to the south.
- 4. **Consistency with Adopted Sphere of Influence (SOI)** - The subject territory is within the LAFCo-approved Sphere of Influence for the City of Fresno.
- 5. **Consistency with City and County General Plans** - The Proposal will be consistent with the City of Fresno’s 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**

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Privet well	City of Fresno
Sewer	Privet Septic	City of Fresno
Fire Protection	North Central Fire protection dist.	Fresno Fire Department

(See Service Plan on our website at [www.fresnolafco.org](http://www.fresnolafco.org))

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

Kings River Conservation District	North Central Fire Protection District
West Fresno Red Scale Protection Dist.	Fresno Irrigation District
State Center Community College District	Co School Services
County of Fresno	County Service Area No. 35

Fresno Mosquito Abatement Dist.	Fresno County Library
City of Fresno	Fresno Metropolitan Flood Control Dist.
Central Unified School District	

**8. Costs and Other Changes Affecting Residents or Landowners**

- None reported by the City of Fresno staff.

**9. Consistency with LAFCo Policies, Standards and Procedures**

- All properties within the Proposal have been pre-zoned to the Fresno RR Zone District. Rezone application No. R-116-004 proposes to pre-zone the subject territory from RR (rural-residential) to the RS-5/UGM (residential single-family, medium-density/urban growth management) 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 Fresno and County of Fresno (see letter from Mr. Jean Rousseau,
- The City of Fresno 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.

**9. 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
- David Padilla, Associate Transportation Planner, Department of Transportation
- Laurel Prysiazny, County Librarian
- Rick Lyons, Engineering Technician III, Fresno Metropolitan Flood Control District

**10. 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 not adequate** to file with the State Board of Equalization.

**11. Registered Voter Data** - The County of Fresno Elections Office reported that there were **two** registered voters in the subject territory.

**12. Compliance with the Requirements of CEQA**

**Lead Agency:** City of Fresno

**Level of Analysis:** Initial Study

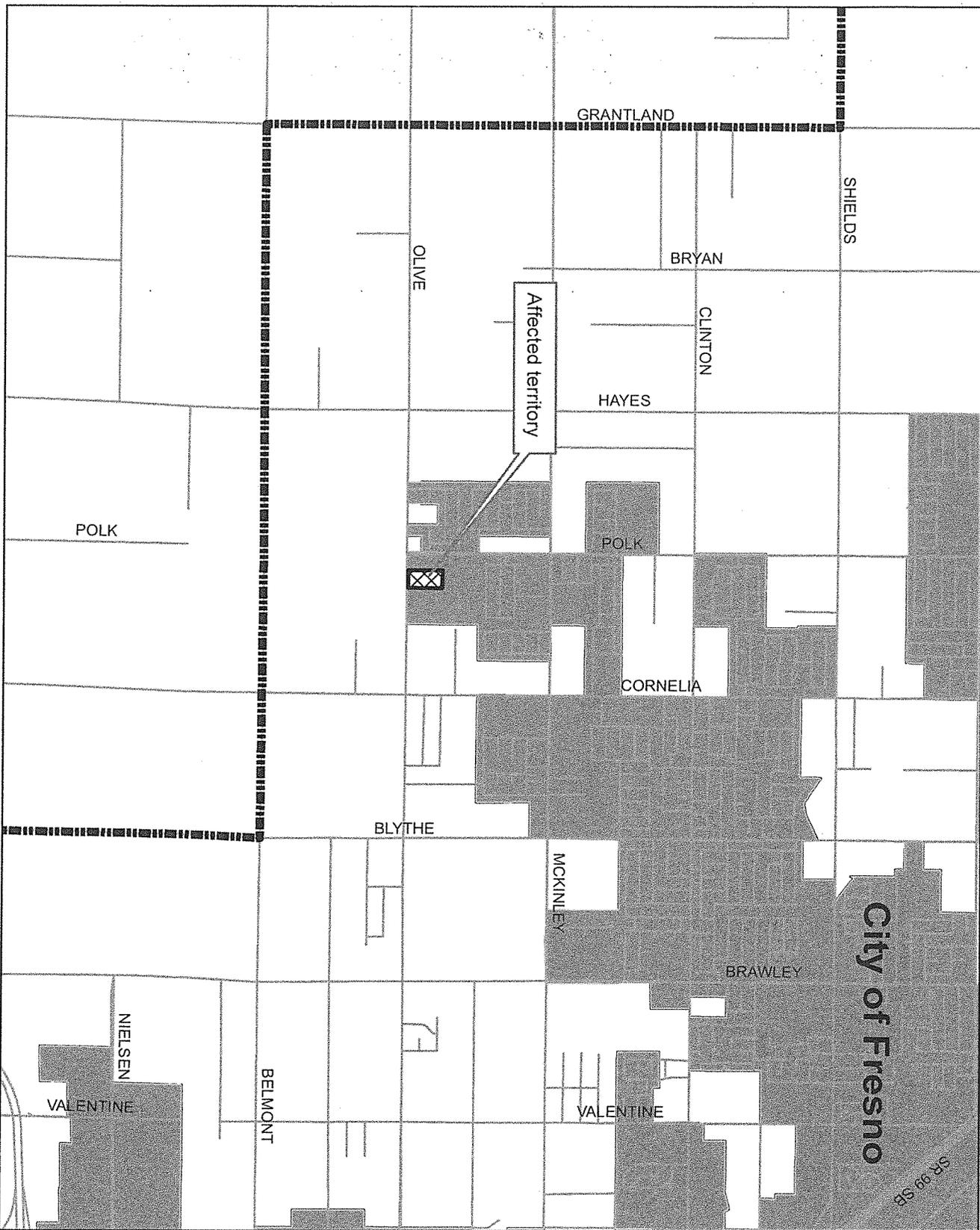
**Finding:** Finding of conformity to the Fresno General Plan Master Environmental impact report (see Environmental Documents at [www.fresnolafco.org](http://www.fresnolafco.org) under the Hearing and Workshops tab in the September 14, 2016 file).

**13. Public Notice of Hearing** - Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

**14. Individuals and Agencies Receiving this Report**

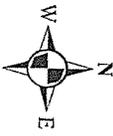
- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Will Kettler, Development Services Div. Mgr., Fresno Co. Public Works and Planning
- Paul Peschel, District Manager, Kings River Conservation District
- Bruce Rudd, Fresno City Manager
- Mike Sanchez, Assistant Director, DARM, City of Fresno
- Will Tackett, Supervising Planner, City of Fresno
- Commissioners and Alternates
- Kerri Donis, Chief , North Central Fire Protection District

# EXHIBIT A



 Sphere of Influence  
 City limits  
 RO-16-06

City of Fresno "Olive-Polk No. 1 reorganization"  
LAFCo file No. RO-16-06



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