

RESOLUTION NO. RO-09-2A
FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA

IN THE MATTER OF

LAFCO DETERMINATION

**A REQUEST BY LANDOWNER PETITION)
FOR APPROVAL OF THE “GLENN-SHAW)
NO. 3B REORGANIZATION”)**

**PUBLIC HEARING CONTINUED TO
DATE UNCERTAIN**

WHEREAS, reorganization proceedings were initiated by Landowner Petition to annex 2.32 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located generally southwest of the intersection of W. Shaw and N. Glenn Avenues, said territory being described within Exhibit “A”, attached hereto and by this reference incorporated herein; and

WHEREAS, an application in accordance with State law filing requirements was submitted by landowner petition and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 10th day of June, 2009, at the hour of 1:30 p.m.; and

WHEREAS, notice of said hearing was given as required by State law; and

WHEREAS, the Executive Officer reviewed the application and prepared a report to this Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before the public hearing; and

WHEREAS, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application; and

WHEREAS, persons residing within the “Old Fig Garden” neighborhood indicated their concern that the annexation to the City of Fresno and the City’s required urban development standards and improvements would “chip away” the borders of the “rural” character of the “Old Fig Garden” neighborhood and, therefore, opposed annexation to the City of Fresno; and

WHEREAS, Commissioner Anderson requested that the item be continued to the July 8, 2009 hearing, in order to allow discussions between City and County representatives of possibilities for allowing development to move forward within the County without the need for annexation; and

WHEREAS, at the July 8, 2009 hearing, the Executive Officer gave his report which was then considered by the Commission; and

WHEREAS, at the recommendation of the Executive Officer, the Commission continued this item to a date uncertain to allow the proponent an opportunity to apply for entitlement permits through the County of Fresno—which if approved, would then eliminate the need for annexation to the City of Fresno; and

WHEREAS, staff was directed to re-notice this proposal and bring the issue back to the Commission for final action if the proponent is unable to successfully have the entitlement permits approved by the County of Fresno and desires to have this application considered by the Commission for annexation.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does **HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER** as follows:

Section #1. This Commission continues the public hearing to a date uncertain.

Section #2. This Commission directs staff to re-notice this proposal and bring back for final action at the conclusion of the County of Fresno's entitlement permit process.

Section #3. The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Government Code Section 56882.

ADOPTED THIS 8th DAY OF JULY, 2009, BY THE FOLLOWING VOTE:

AYES: Commissioners Lujan, Fortune, Larson, Perea, Lopez


NOES: None

ABSENT: Commissioners Anderson and Rodriguez

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, Victor Lopez, Chairman of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 8th day of July, 2009.





**Victor Lopez, Chairman
Fresno Local Agency Formation Commission**

EXHIBIT "A"



Legend

-  City Limits
-  Affected Territory

City of Fresno "Glenn-Shaw
No. 3B Reorganization"
LAFCo File No. RO-09-2

