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

CONSENT AGENDA ITEM No. 5-D

DATE: November 10, 2021

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Amanda Castro, LAFCo Analyst

SUBJECT: Consider Approval - City of Kingsburg "Kamm-Academy Northwest No. 2 Reorganization." A proposed reorganization consisting of the annexation of 5.15 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory generally located north of East Stroud Avenue and west of South Academy Avenue. (LAFCo File No. RO-21-08)

Applicant: City of Kingsburg

Landowners/Parties of Real Interest (100% Consent): City of Kingsburg, Parminder Singh Sohal, Surinder Kaur Sohal.

(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:

Action 1:

- A. 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.

Action 2:

- B. 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”).
- C. 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.
- D. Assign the distinctive short form designation “Kamm-Academy Northwest No. 2 Reorganization” and approve the annexation and detachments subject to the following conditions 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 Academy Avenue.
 - c. Submittal of corrected legal description and map.
 - d. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
 - e. The Selma-Kingsburg-Fowler County Sanitation District’s annexation fee shall be paid to the District prior to recordation. The proponents shall provide evidence to the Executive Officer as verified by the District that the condition has been met prior to recordation.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On March 20, 2019, the City of Kingsburg initiated this reorganization with the adoption of Resolution No. 2018-062 requesting that the Commission begin proceedings for the “Kamm-Academy Northwest No. 2 Reorganization” to annex approximately 5.15 acres to the City of Kingsburg and the Selma-Fowler-Kingsburg County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the

Consolidated Irrigation District for the territory located north of East Stroud Avenue and west of South Academy Avenue.

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 Kingsburg General Plan and the North Kingsburg Specific Plan.

Proposal/Land Use

- The proposal consists of the annexation of approximately 5.15 acres to the City of Kingsburg and Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, Kings River Conservation District, and the Consolidated Irrigation District located north of East Stroud Avenue and west of South Academy Avenue.
- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Kingsburg sphere of influence (**Attachment B**) and is contiguous to the Kingsburg city limits (**Attachment C**).
- The affected territory is within the Selma-Kingsburg-Fowler County Sanitation District sphere of influence and is contiguous to the District service area (**Attachment D**).
- The proposal is currently zoned AE-20 (Agricultural) and will be rezoned to the City of Kingsburg RM-5.5 (Single Family Residential-5,000 SQ. FT.) Zone District by Prezone Ordinance No. 2018-005 upon annexation.
- The territory is uninhabited (11 or fewer registered voters).
- The proposal is consistent with the North Kingsburg Specific Plan and Design Guidelines.

Consistency with LAFCo Policies, Standards and Procedures

- 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 Kingsburg and County of Fresno. (See letter from Mr. Jean Rousseau.)
- The City of Kingsburg 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.
- All properties within the proposal have been prezoned to the City of Kingsburg RM-5.5 (Single Family Residential-5,000 SQ. FT.) Zone District by Prezone Ordinance No. 2018-005.
- The City of Kingsburg is within the South Kings GSA and has a Groundwater Recharge Plan in place.

Relationship to Regional Housing Goals and Policies

The proposal will provide 21 single-family homes in the Kingsburg housing market.

Sustainable Groundwater Management Act

Former Governor Edmund G. Brown Jr. signed California's Sustainable Groundwater Management Act ("SGMA") into law on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California's history.

SGMA requires local agencies to form Groundwater Sustainability Agencies ("GSAs") in local groundwater basins by June 2017 and requires the adoption of Groundwater Sustainability Plans ("GSPs") for groundwater basins deemed high priority by year 2020. The South Kings GSA will represent the City of Kingsburg that is comprised of the City of Kingsburg, the City of Fowler, the City of Sanger, the City of Parlier, and the Del Rey Community Service District.

The subject territory can be readily served by the City's sewer, water and storm drainage infrastructure. Further, the property is already within the service area of police and fire services as well as Mid Valley Disposal solid waste collection. Once the subject territory is annexed to the City, the new development in the area will require the extension of main water lines and installation of fire hydrants. Kingsburg's water system is composed of seven wells, pulling water from depths that range from 500 to 800 feet, and a transmission system that is composed of pipes of varying diameter and fire hydrants. According to the City engineer, the City has ample water supply to accommodate the water needs of the proposed subdivision.

Environmental Determination

The City of Kingsburg, acting as "Lead Agency" under CEQA, prepared an Initial Environmental Study ("IES") for the proposed project constant with the requirements of CEQA. The IES determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural, and city service/infrastructure. Accordingly, a Negative Declaration has been prepared on the project.

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.

Costs and Other Changes Affecting Residents or Landowners

None reported by the City of Kingsburg staff.

Agencies and Individuals Submitting Comments

- Jean Rousseau, County Administrative Officer
- Will Kettler, Manager, Dev. Services Division, Department of Public Works Planning
- Kevin Tsuda, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Karen Coletti, Executive Secretary, Fresno County Public Library
- Kingsburg Elementary School District

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.

Registered Voter Data

The County of Fresno Elections Office reported that there were **four** registered voters in the affected territory.

Compliance with the Requirements of CEQA

Lead Agency: City of Kingsburg

Level of Analysis: Initial Study

Finding: Negative Declaration (See Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the November 10, 2021).

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
- David Merritt, District Manager, Kings River Conservation District
- Dustin Hail Johnson, Fresno County Fire Protection District
- Holly R. Owen, AICP Community Development Director
- Alex Henderson, City Manager, City of Kingsburg
- Mike Noland, City of Kingsburg Counsel