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

CONSENT AGENDA ITEM No. 5B

DATE: August 12, 2015

TO: Fresno Local Agency Formation Commission

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

SUBJECT: **Consider Approval: City of Kingsburg "Mendocino-Klepper Northwest Reorganization."** A reorganization submitted by landowner petition to annex 10.02 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located west of Mendocino Avenue, north of Klepper Avenue (**LAFCo File No. RO-15-5**).

Applicant: Mike Miller, Lennar Homes of California, Inc., Petitioner

Land Owners/Parties of Real Interest: Lennar Homes of California, Inc.; City of Kingsburg; Selma-Kingsburg-Fowler County Sanitation District; Fresno County Fire Protection District, Kings River Conservation District; and Consolidated Irrigation District

(Documents referenced in this report may be found on LAFCo's website at www.fresnolafco.org)

RECOMMENDATION: Approve by Taking the Following Actions

- 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 project 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.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Assign the distinctive short form designation "Mendocino-Klepper Northwest Reorganization" and approve the reorganization (annexations and detachments) subject to the following conditions of approval:
 - 1. 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 this condition has been met prior to recordation.

2. 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.

D. Find pursuant to CKH that:

1. The territory is uninhabited; and
2. All landowners and affected agencies have consented to the reorganization.

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

Background

Mike Miller, President of Lennar Homes of California, has initiated reorganization in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, to annex 10.02 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler Sanitation District and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and Consolidated Irrigation District.

On July 1, 2015, the City, in accordance with State law requirements, pre-zoned the entire territory to appropriate zone districts consistent with the City of Kingsburg's General Plan. On June 17, 2015, the Kingsburg City Council considered the Negative Declaration prepared by the City of Kingsburg, and adopted Resolution No. 2015-28 initiating the reorganization. A Certificate of Filing has been issued by the LAFCo Executive Officer.

Consideration of this reorganization requires the Commission to review and consider the Negative Declaration prepared and certified by the City for the "Mendocino-Klepper Northwest Reorganization" and Change of Zone (Pre-Zone) under the requirements of the California Environmental Quality Act ("CEQA").

Discussion

The proposal consists of the annexation of 10.02 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 located west of Mendocino Avenue, north of Klepper Avenue.

Lennar Homes, of California, Inc. filed Tentative Tract Map No. 6094 to develop 34 single-family residential lots on 10.02 acres. On July 1, 2015, the Kingsburg City Council adopted Ordinance No. 2015-07 and pre-zoned the territory from Fresno County's AE-20 Zone District to Kingsburg's R-1-7 Zone District. The City of Kingsburg as "lead agency" conducted an initial study and on June 17, 2015, adopted a Negative Declaration.

The subject property is essentially an infill parcel in that it is surrounded on three sides by residential development that is inside the city limits. The annexation would allow for the northerly extension of existing residential streets that currently dead-end into the southern boundary of the subject property.

Proposal / Land Use

- The territory is within the City of Kingsburg's Sphere of Influence, and is adjacent to the city limits to the east, west, south, and partially to the north **(Figure 1)**.
- The proposal will essentially annex an unincorporated island into the City of Kingsburg.
- The proposal consists of the annexation of 10.02 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.
- All properties within the project area have been rezoned to the Kingsburg R-1-7 (single-family residential, one unit per 7,000 square feet) Zone District. The proposed uses conform to this rezoning,
- The subject territory is located on the west side of Mendocino Avenue, North of Klepper Avenue and south of Kamm Avenue **(Figure 2)**. The territory is uninhabited.
- The proposed development and reorganization conform to the City of Kingsburg's General Plan and North Kingsburg Specific Plan (NKSP).

Environmental Determination

The subject property is located within the North Kingsburg Specific Plan (NKSP). When the NKSP was prepared, a Final Environmental Impact (FEIR) was certified for the plan. The FEIR discussed the environmental impacts that would be associated with buildout of the Specific Plan. For this specific project, Kingsburg City staff found that the project will have no significant impacts on the environment and filed a negative declaration because the project meets the criteria of the NKSP.

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.

Consistency with LAFCo Policies, Standards and Procedures

- The Proposal was rezoned R-1-7 and is consistent with the City's General Plan land use designation and the NKSP.
- 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. Alex Henderson, Kingsburg City Manager expressed the City's support for the annexation in a letter dated July 1, 2015.
- The City of Kingsburg and the Fresno County Fire Protection District have a fire transition agreement in place to provide fire protection services to the affected territory.

Accordingly, the Proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

APPLICATION INFORMATION

1. Subject Territory

Acreage:	10.02 acres
Current Land Use:	Fallow
Number of Residences/ Population:	Residences: 1 / Population: 2
Registered Voters:	Voters: 0
Assessor Parcel Number(s):	394-080-01

2. **Proposed Development:** The proposed development consists of a 34-lot single-family residential subdivision. The proposal will essentially annex an unincorporated island into the City of Kingsburg.

3. **Surrounding Territory:** The proposal site is surrounded on all sides by single-family residential developments. To the northwest is a 20-acre parcel that is fallow.

4. **Consistency with Adopted Sphere of Influence (SOI):** The subject territory is within the LAFCo-approved Sphere of Influence for the City of Kingsburg

5. Existing Service Agencies and Proposed Service Changes:

Service	Existing Service	Change
Water	Private Well	City of Kingsburg
Sewer	Private Septic	SKF Sanitation District
Fire Protection	Fresno Co. Fire Protection District	City of Kingsburg

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

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

County of Fresno	Fresno County Library
State Center Community College District	Kingsburg High School
Kingsburg Elementary School	Kingsburg Cemetery District
County Service Area No. 35	Fresno County Fire Protection District
Kings River Conservation District	Kingsburg Hospital District
Consolidated Mosquito Abatement Dist.	West Fresno Co. Red Scale Protect. Dist.
Consolidated Irrigation District	

7. **Costs and Other Changes Affecting Residents or Landowners:** There will no costs or other changes that would affect residences or landowners.

8. **Agencies and Individuals Submitting Comments:** (see Correspondence and Comments reference in the staff report on our website at www.fresnolafco.org)

- John Navarrette, County Administrative Officer
- Will Jettler, Manager, Fresno County Development Services Division
- Kingsburg Unified School District
- Alexander Henderson, City Manager, City of Kingsburg
- Laurel Prysiazny, County Librarian

- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Ryan Lopez, IT Analyst, Fresno County Elections Department

9. **Territory Boundaries:** The boundaries of the proposed annexation **are** definite and certain. The County Assessor has determined that the map and legal description **is not adequate** to file with the State Board of Equalization.

11. **Compliance with the Requirements of CEQA:**

Lead Agency: City of Kingsburg

Level of Analysis: Initial Study

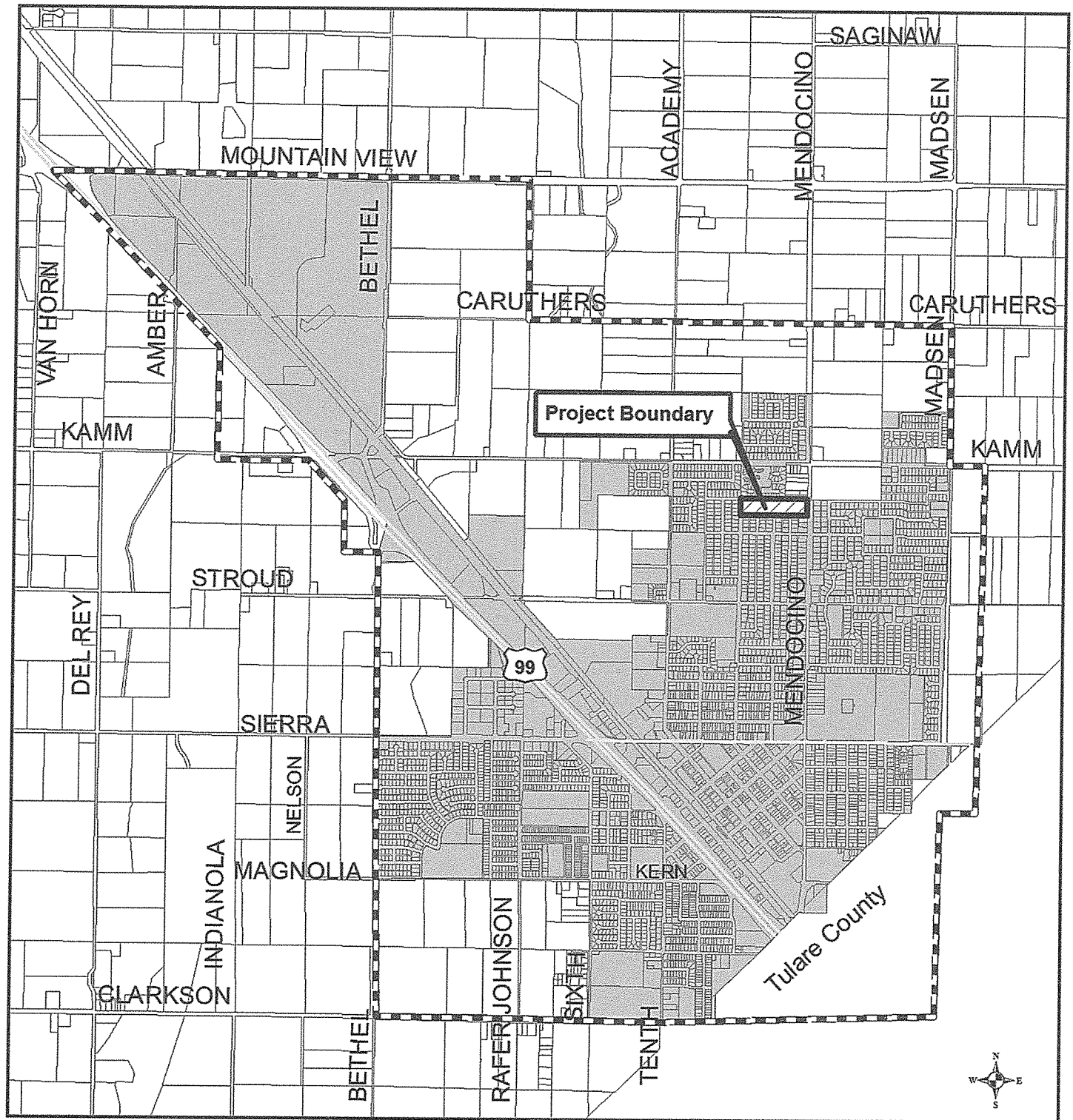
Finding: Negative Declaration




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

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

- Commissioners and Alternates
- 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
- Mark Johnson, Chief, Fresno County Fire Protection District
- Randy Shilling, Interim District Manager, Kings River Conservation District
- Selma-Kingsburg-Fowler County Sanitation District
- Phil Desatoff, Consolidated Irrigation District
- Alex Henderson, City Manager, City of Kingsburg
- Mike Miller, Lannar Homes of California, Inc.

FIGURE 1



-  Sphere of Influence, Kingsburg
-  City Limits, Kingburg
-  Mendocino Klepper NW Reorganization

Mendocino-Klepper NW Reorganization
City of Kingsburg

FIGURE 2

Mendocino-Klepper Northwest Reorganization

LOCATION MAP

