

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

CONSENT AGENDA ITEM NO. 5D

DATE: September 14, 2016

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Approval: City of Fresno "Copper-Friant No. 3." A proposed reorganization to annex 33.37 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located north of Copper Avenue on the northwest side of Friant Road (LAFCo File No. RO-15-7).

Applicant: Jeff Roberts, Vice President, Granville Homes, Inc.

Land Owners/Parties of Real Interest (100% consent): Granville Homes, Inc.

RECOMMENDATION: Approve By Taking the Following Actions:

1. Approve a finding of categorical exemption from the provisions of the CEQA under Section 15061(b) (3), "General Rule", for Copper-Friant No. 3 reorganization.
2. 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).
3. Assign the distinctive short form designation "Copper-Friant No. 3 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.

4. Find pursuant to CKH that:
 - A. The territory is uninhabited; and
 - B. All landowners and affected agencies have consented to the reorganization.
5. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

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.

Executive Summary

The subject property is owned by the County of Fresno. When the "Copper River Ranch" Master Planned Community was developed the subject territory was developed with a landscaped multi-use trail and vista point that were installed by the developers of the Copper River Ranch project. The trail and vista point facilities are maintained by the City of Fresno through Community Facilities District No. 12. Since the property is being used primarily by City of Fresno residents and is being maintained by a City entity, the inclusion of the land in the City limits is appropriate and will allow the developer to receive a "Park Fee Credit" for the cost of the improvements installed on the 33.37 acres.

On June 18, 2013, the Fresno County Board of Supervisors adopted a Resolution authorizing Granville Homes to file a sphere of influence revision and reorganization proposal with LAFCo to annex 33.37 acres owned by the County of Fresno to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District. Jeff Roberts, Vice-President of Granville Homes submitted a petition for the sphere of influence revision and reorganization on May 20, 2015. The Commission on June 8, 2016, took action to revise the City's sphere of influence to include the 33.37 acres.

Pursuant to CKH section 56375(a) (7) the subject territory is already built-out and is consistent with the City of Fresno General Plan and will be zoned for open space by the City.

The Fresno County CAO 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 Fresno County Fire Protection District have a fire transition agreement in place as required by Commission policy section 102-04.

Proposal / Land Use

- The territory is within the City of Fresno's' sphere of influence, north of the city limits (**Exhibit A**).
- The Proposal consists of the annexation of 33.37 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- The subject territory is located north of Copper Avenue on the northwest side of Friant Road (**Exhibit B**).
- The Proposal is currently zoned open space and will be a similar land use designation and is consistent with the City of Fresno General Plan.
- The territory is uninhabited.
- The proposal conforms to the City of Fresno's' General Plan.

Environmental Determination

As Lead Agency, the Commission is required to review and consider the environmental effects prior to taking its action.

As lead agency LAFCo has determined that the Commission's actions to approve the proposal falls under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no

possibility that the Commission's action to approve the annexation to the City of Fresno may have a significant effect on the environment. Accordingly, this proposal is exempt from the California Environmental Quality Act (CEQA) under the provisions of Section 15061(B) (3) of the CEQA Guidelines. The Commission's actions are also determined to be categorically exempt under CEQA Guidelines sec 15378. The proposed activity is an administrative activity overseen by the Fresno Local Agency Formation Commission that will not bring about any physical changes in the environment.

Consistency with LAFCo Policies, Standards and Procedures

- The land is designated and zoned "Open Space" by the adopted County general plan. In addition the City of Fresno General Plan designated the site for "Multi Use Open Space". The 33.37-acre site is not planned for any additional development.
- 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. John Navarrette , Fresno County CAO dated July 22, 2015 - Correspondence and Comments).
Note: David Fey, Fresno Local Agency Formation Commission executive officer, recommended that "the City of Fresno include the full width of right-of-way along Friant, and Copper Avenues." The Proposal as recommended by staff includes full rights-of-way. 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.

APPLICATION INFORMATION

1. Subject Territory

Acreage:	33.37 acres
Current Land Use:	Open space
Number of Residences/ Population:	0
Registered Voters:	0
Assessor Parcel Number(s):	579-073-02t, 03t

2. **Proposed Development** - The territory proposed for annexation is designated and zoned "open space" by Fresno County's general Plan. In addition, the City of Fresno General plan designates the site for "Multi-use Open Space". The property is developed with landscape multi-use trail and vista points that were installed by the developers of the Copper River Ranch project located east of Friant Road. The trail and vista point facilities are maintained by the City of Fresno through Community Facilities District No.12. The 33.37-acre site is not planned for any additional development.
3. **Surrounding Territory** - Open space to the east and north, urban development and residential to the south, and to the west.
4. **Consistency with Adopted Sphere of Influence (SOI)** - The subject territory is within the LAFCo-approved Sphere of Influence for Fresno.

5. **Consistency with City and County General and Specific Plans** - The Proposal is consistent with the City of Fresno's' General Plan. The Proposal follows 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	City of Fresno	No Change
Sewer	City of Fresno	No Change
Fire Protection	Fresno Co. Fire Protection District	City of Fresno

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

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

Kings River Conservation District	Fresno County Fire Protection District
Fresno County Library	Consolidated Mosquito Abatement Dist.
State Center Community College District	Sierra Resource Conservation
County Service Area 35	West Fresno Co. Red Scale Protect. Dist.
County of Fresno	

8. **Costs and Other Changes Affecting Residents or Landowners** - The costs of services will not change upon annexation. There is no net County cost associated with the recommended action. All cost associated with the annexation, including LAFCo and the City of Fresno application filing fees, and any applicable fire transition fees, will be paid by Granville Homes.

9. **Agencies and Individuals Submitting Comments**

- Jean Rousseau, County Administrative Officer
- Bernard Jimenez, Deputy Director of Planning, Department of Public Works and Planning
- 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
- Michael Navarro, Chief, Planning North Branch, Department of Transportation
- Robert Villalobos, Engineering Technician III, Fresno Metropolitan Flood Control District
- Laurel Prysiazny, County Librarian
- Lt. Kathy Curtis, Fresno County Sheriff-Coroner's Office

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 adequate to file with the State Board of Equalization.

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

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

Lead Agency: Fresno Local Agency Formation Commission

Level of Analysis: Initial Studies

Finding: Categorical Exempt

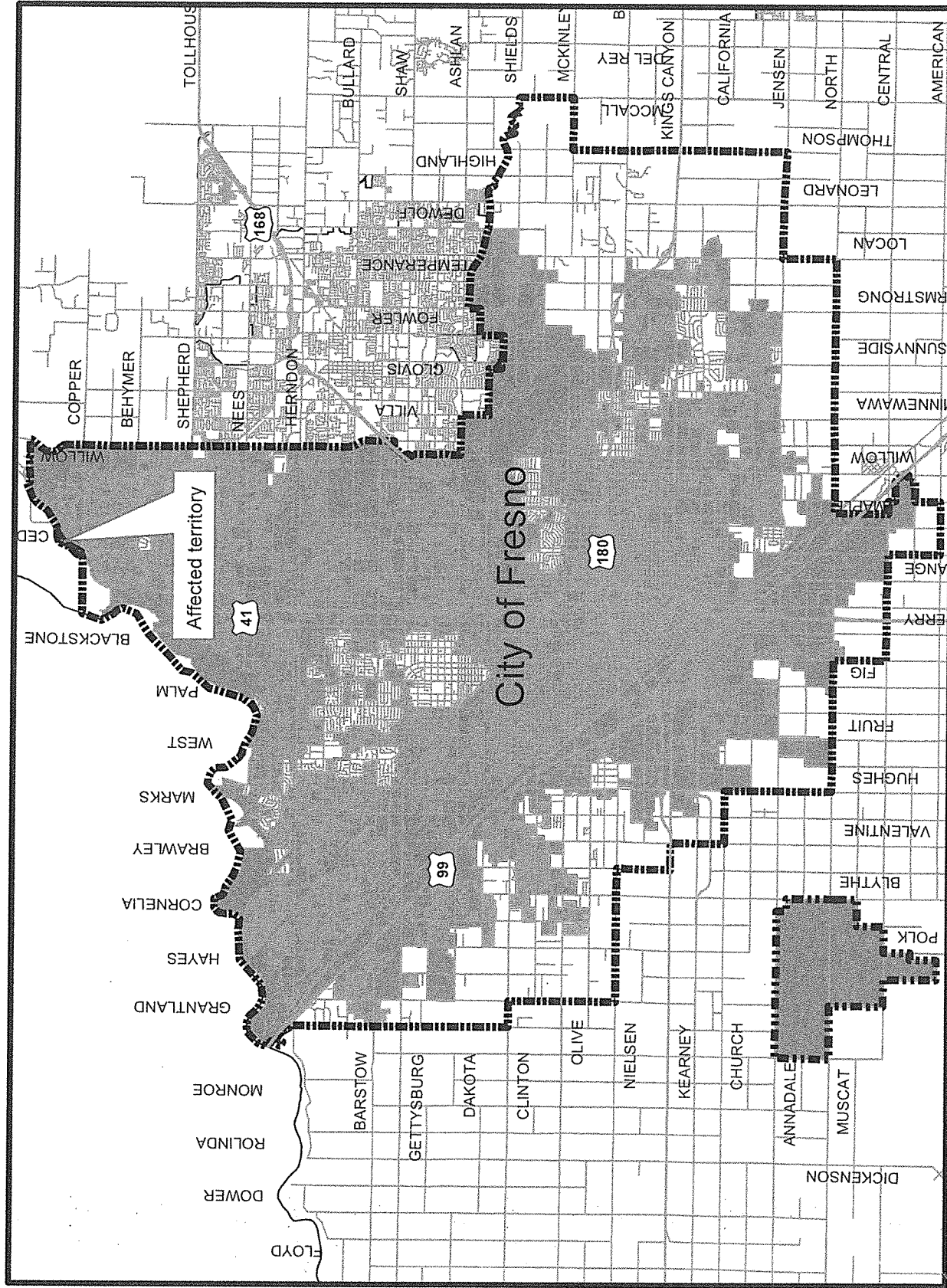
13. **Public Notice of Hearing** - Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

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

- 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
- Stephen Julian, Fresno County Fire Protection District
- Paul Peschel, District Manager, Kings River Conservation District
- George Gonzalez, Associate Planner, City of Clovis
- Art Lancaster, Bonadelle Neighborhoods
- Matt Smith, Woodside Homes

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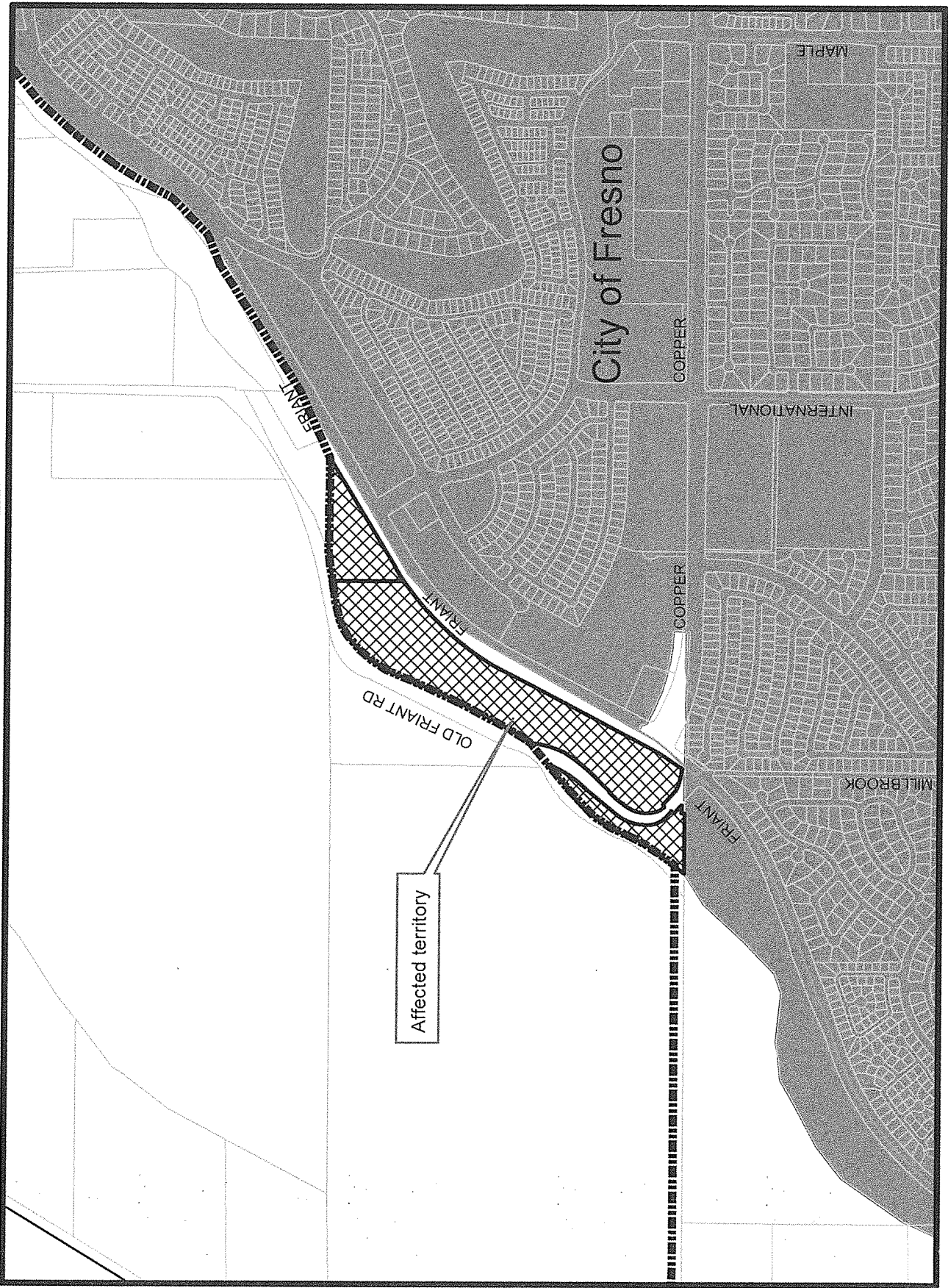
EXHIBIT A



City of Fresno" Copper-Friant No.3 reorganization
LAFCo file No.RO-15-7

- Sphere of Influence
- City Limits
- RO-15-07

EXHIBIT B



Sphere of Influence

City Limits

RO-15-07

City of Fresno" Copper-Friant No.3 reorganization
LAFCo file No.RO-15-7