

RESOLUTION NO. RO-15-7

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of:

LAFCo Determination

A REQUEST SUBMITTED BY PETITION FOR APPROVAL OF THE "COPPER-FRIANT NO. 3 REORGANIZATION")))))	ADOPTED NOTICE OF EXEMPTION; APPROVED "COPPER-FRIANT NO. 3 REORGANIZATION" WITH CONDITION
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WHEREAS, reorganization proceedings were initiated by petition to annex 33.37 acres of territory 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; and

WHEREAS, the County of Fresno authorized Granville Homes to file an application by petition for a sphere of influence revision and annexation of said territory; and

WHEREAS, on July 13, 2016, the LAFCo revised the City of Fresno Sphere of Influence to include, among other territories, land compatible with the subject reorganization; and

WHEREAS, an application was submitted to the Fresno Local Agency Formation Commission (LAFCo) by petition as required by State Law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 14th day of September, 2016, at the hour of 1:30 p.m; and

WHEREAS, notice of the LAFCo hearing of said application was given as required by State Law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report to the LAFCo, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before said hearing and was duly considered by the LAFCo pursuant to State Law; and

WHEREAS, acting as "Lead Agency" under CEQA, the LAFCo considered a Categorical Exemption pursuant to CEQA Guidelines Section 15061(b) (3), "General Rule," for the Copper-Friant No. 3 reorganization; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Fresno Local Agency Formation Commission does hereby determine and order as follows:

Section 1. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission adopted categorical exemption from the provisions of the

CEQA under Section 15061(b) (3), "General Rule," for Copper-Friant No. 3 reorganization.

Section 2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section 3. This Commission assigns the distinctive short form designation "Copper-Friant No. 3 Reorganization" and approves the annexation and detachments as generally depicted in Exhibit "A," 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.

Section 4. This Commission finds pursuant to CKH that:

- A. The territory is uninhabited; and
- B. All landowners and affected agencies have consented to the reorganization.

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

Section 6. The Commission's action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Executive Officer.

Section 7. The Executive Officer is hereby authorized and directed to mail copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this proposal, as required by State law.

ADOPTED THIS 14TH DAY OF SEPTEMBER, 2016, BY THE FOLLOWING VOTE:

AYES: COMMOSSIONERS PARRA, SANTOYO, SILVA, PEREA, PACHECO

NOES: NONE

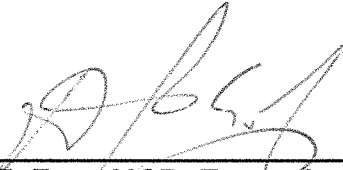
ABSENT: NONE

ABSTAIN: NONE

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

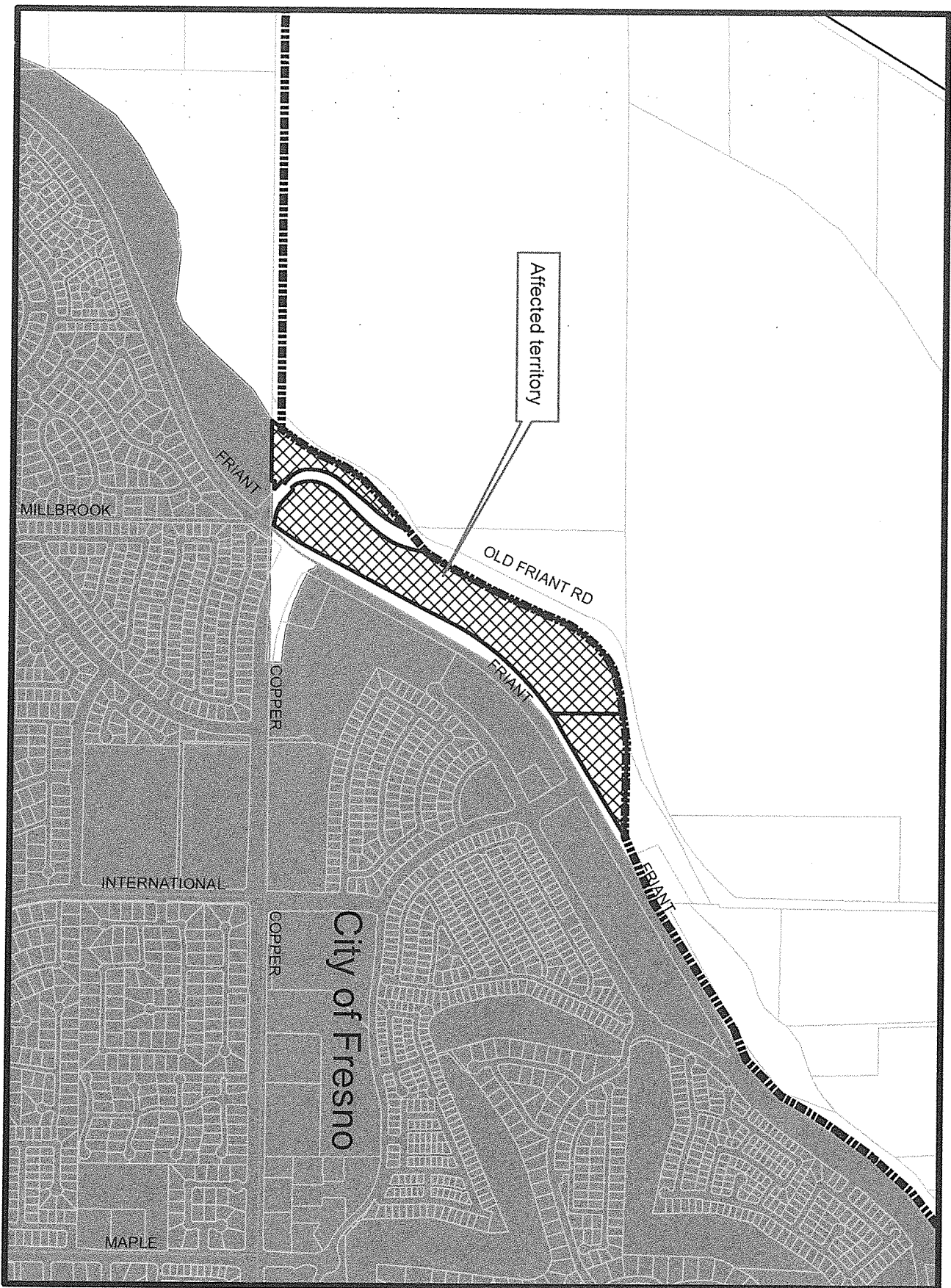
CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, hereby certifies that the foregoing resolution was adopted by the Commission at a regular meeting held on the 14th day of September, 2016.

A handwritten signature in black ink, appearing to read 'D. Fey', is written over a horizontal line.

**David E. Fey, AICP, Executive Officer
Fresno Local Agency Formation Commission**

EXHIBIT A



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