

LAFCO PROCEDURE CHECKLIST

RO-07-23
File Number

"BARSTOW-GARFIELD NO. 1 REORGANIZATION"
Application Name

OCTOBER 25, 2007
Date Received

ANNEX TO THE CITY OF FRESNO; DETACH FROM NORTH CENTRAL FIRE & KINGS RIVER CONS. DISTRICT
Subject Agency(s)

Inhabited Uninhabited Public Hearing 100% Consent Land Conservation

Sphere of Influence Consistency Sphere Revision Needed SOI File Number _____

Request Info. from Proponent _____
Date Requested _____ Date Completed _____

Property Tax Resolution Needed: _____
Date Requested _____ Date Completed _____

Environmental Assessment Needed _____ EIR Neg. Dec Exempt
Date Sent _____ Date Completed _____ Environmental Determination/Date _____

Petition Verified _____
Date Sent _____ Date Completed _____

1. Application File Complete _____
Date _____

2. Request for Information from Other Agencies: _____ Date _____ Returned _____

Assessor (aff. area only) Landowner LCC AV 11-19-07 _____

Planning _____

Environmental Health _____

State Office of Drinking Water _____

California Regional Water Quality Control Board _____

Elections _____

Affected Districts _____

U.S. Soil Conservation District _____

Director of Conservation _____

Other _____

3. Map and Description Approval 12-7-07

4. Certificate of Filing 11-19-07

5. Hearing Date Set 1-9-08

6. Notices Published 12-17-07

7. Notices Mailed and Posted (Request for Notice) 2-11-08

8. Executive Officer's Report Mailed (Req. for Report) 2-28-08

9. Commission Action Conditionally approved

10. LAFCO Resolution Mailed 1-17-08

11. Conducting Authority Hearing Date Set 3-5-08

12. Commission Action _____

13. CA Resolution Mailed 3-17-08

14. 60 Day Follow-up _____

15. Proposal Log _____

16. Cert. Comp./Bound. Change Mailed _____

17. County Recorder - Time, Date, and Document 03/14/2008, 20080038031

18. Effective Date 2:43 p.m. 3/14/08 20080038031

19. Conducting Authority Contacted 3/14/08

20. Effective Notices Mailed 3/17/08

21. Proposal Log 3/14/08

Notes: _____

Contact Person: _____

Phone: _____

5
D
RECORDING REQUESTED BY AND MAIL TO

NAME FRESNO LAFCO

STREET 2115 KERN STREET, #310

CITY & STATE FRESNO, CA 93721

ATTN: CANDIE, STOP #186



FRESNO County Recorder

Robert C. Werner

DOC- 2008-0038031

Friday, MAR 14, 2008 14:43:37

Ttl Pd \$0.00

Nbr-0002723929

JZG/R3/1-5

“BARSTOW-GARFIELD NO. 1 REORGANIZATION”

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Fresno Local Agency Formation Commission is the Conducting Authority.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Barstow-Garfield No. 1 Reorganization" LAFCo File No. RO-07-23.

The affected territory is uninhabited.

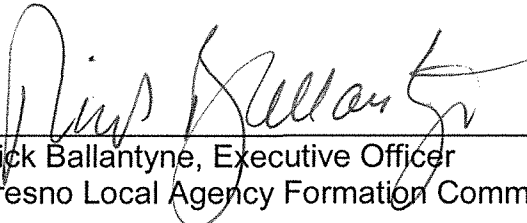
The change of organization was ordered without an election, and Resolution No. RO-07-23A ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on March 5, 2008.

A legal description of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. The City of Fresno has submitted to the Executive Officer verification that a Right-to-Farm Covenant will be made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
2. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

I, Rick Ballantyne, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.



Rick Ballantyne, Executive Officer
Fresno Local Agency Formation Commission

Dated: March 14, 2008

EXHIBIT "A"

RO-07-23

File #

BARSTOW-GARFIELD NO. 1 REORGANIZATION
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE
KINGS RIVER CONSERVATION DISTRICT

GEOGRAPHIC DESCRIPTION

That portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Center Quarter corner of said Section 8,

thence (1) South 89°29'02" West, along the South line of the Northwest Quarter of said Section 8, a distance of 30.00 feet;

thence (2) North 0°00'24" West, parallel with and 30.00 feet West of the West line of the Northeast Quarter of said Section 8, a distance of 974.00 feet;

thence (3) North 89°28'46" East, along the South line of Parcel Map No. 7905, according to the map recorded in Book 63, pages 89 and 90 of Parcel Maps, Fresno County Records and its Westerly Prolongation, a distance of 707.27 feet to the Southeast corner of said Parcel Map No. 7905;

thence (4) North 0°00'22" West, along the East line of said Parcel Map No. 7905 and its Northerly prolongation, a distance of 974.00 feet;

thence (5) North 89°28'46" East, along the centerline of a 60.00 feet strip of land as shown on that Map of Survey recorded in Book 10, page 33 of Records of Surveys, Fresno County Records, a distance of 647.27 feet to the intersection with the West line of Tract No. 5338, according to the map recorded in Volume 75, pages 62, 63, 64 and 65 of Plats, Fresno County Records, said West line being on the existing limit line of the City of Fresno;

thence (6) South 0°00'12" East, along the West line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet to the Southwest corner of said Tract No. 5338;

APPROVED

LAFCO RES. # RO-07-23

January 9, 2008
DATE

3

EXHIBIT "A"

RO-07-23

File #

thence (7) North 89°28'58" East, along the South line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 1294.48 feet;

thence (8) South 0°00'00" West, parallel with and 30.00 feet West of the East line of said Section 8, along the existing limit line of the City of Fresno, a distance of 943.32 feet;

thence (9) leaving the existing limit line of the City of Fresno South 89°28'46" West, parallel with and 30.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 2618.86 feet to the intersection with the West line of the Northeast Quarter of said Section 8;

thence (10) South 0°00'24" East, along the West line of the Northeast Quarter of said Section 8, a distance of 30.00 feet to the **Point of Beginning**.

Contains an area of **71.89** acres more or less.

Dated: October 15, 2007

Revised: November 27, 2007

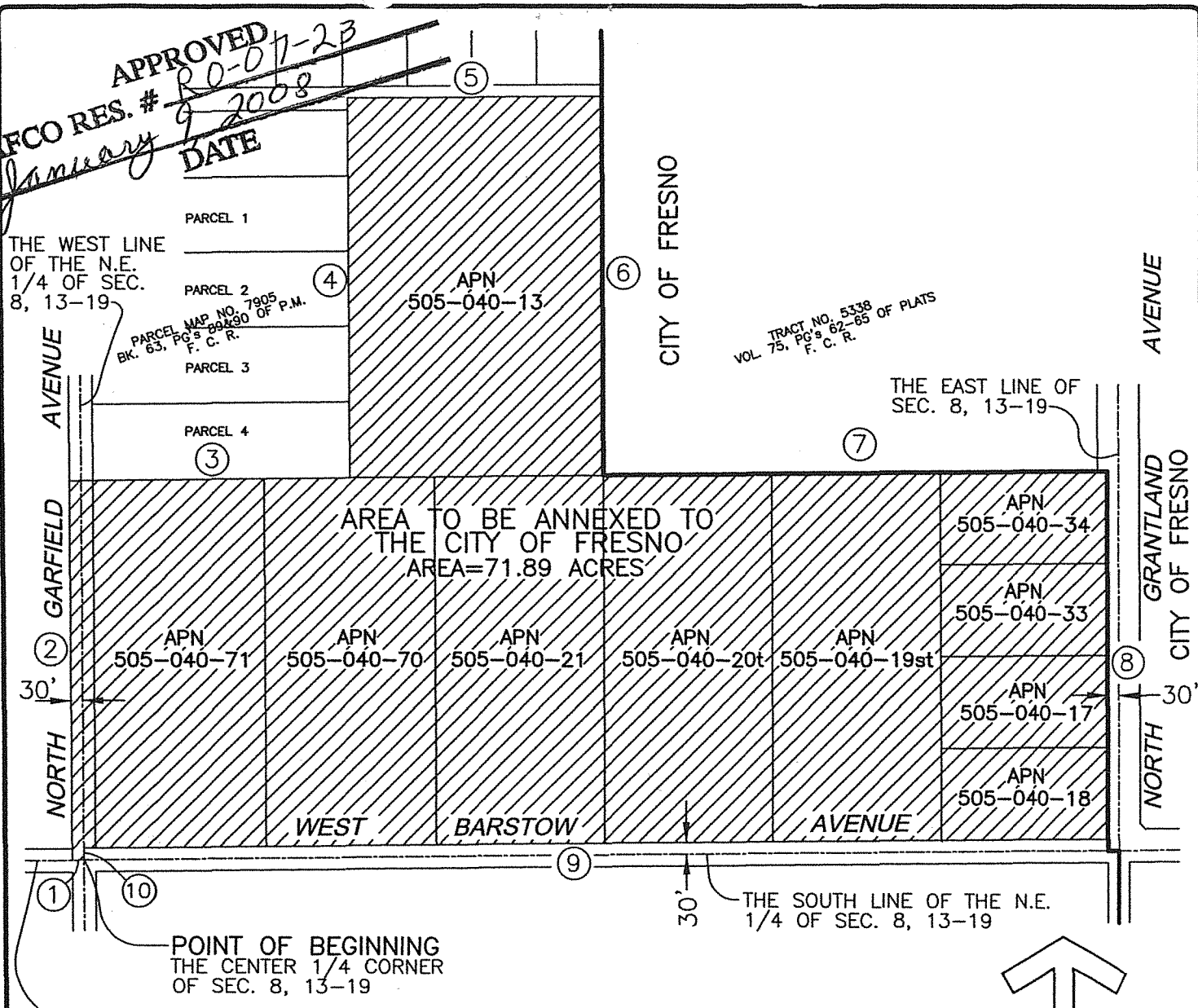
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

APPROVED
LAFCO RES. # RO-07-23
January 9, 2008
DATE

4

EXHIBIT "A"

APPROVED
LAFCO RES. # 20-07-23
January 9, 2008
DATE



COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
4. N 00°00'22" W - 974.00'
5. N 89°28'46" E - 647.27'
6. S 00°00'12" E - 974.00'
7. N 89°28'58" E - 1294.48'
8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRSNQ
- INDICATES AREA TO BE ANNEXED TO THE CITY OF FRSNQ

AREA TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED BY:
 GARY G. GIANNETTA
 1119 "S" STREET
 FRESNO, CA 93721
 559.264.3590

BARSTOW-GARFIELD NO. 1 REORGANIZATION

A PORTION OF SECTION 8,
 TOWNSHIP 13 SOUTH, RANGE 19 EAST,
 MOUNT DIABLO BASE AND MERIDIAN

PREPARED:
 10/15/07
 REVISED:
 11/27/07
 Annex. No. 1319



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION
PROPERTY AND SPECIAL TAXES DEPARTMENT
450 N STREET, MIC: 59, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO CALIFORNIA, 94279-0059
TELEPHONE (916) 322-7189
FAX (916) 327-4251
<http://www.boe.ca.gov/>

BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario

MICHELLE STEEL
Third District, Santa Ana

JUDY CHU
Fourth District, Los Angeles

JOHN CHAING
Controller, Sacramento

RAMON J. HIRSIG
Executive Director



Mr. Richard Ballantyne, Executive Officer
Fresno LAFCo
2115 Kern St., Suite 310
Fresno, CA 93721

This is to acknowledge receipt of the statement(s) required by Section 54900, et seq., of the Government Code for the action described below. Copies of your documents will be forwarded by us to other agencies. You are required by Section 54902 of the Government Code to file a complete set of documents, except for the processing fee, with the County Assessor and Auditor affected by this action.

Tax rate area boundaries and property tax allocations will become effective for the assesment roll indicated below.

Assessment Roll: **2009/10**
County: **10 Fresno**

BOE File No.: **2009-006**
Received at BOE: **03/19/2008**
Date of Acknowledgement: **04/08/2008**
Distribution: **14**

District: **01 CITY - FRESNO [0006]**
Conducting Authority: **LAFCO**
Short Title: **BARSTOW-GARFIELD NO. 1 REORG**
Type of Action: **02 City - Annexation**
Resolution/Ord. No.: **RO-07-23A**
LAFCo No.: **RO-07-23**
Effective Date: **03/14/2008**
Fee: **\$1,500.00**
Acreage: **71.89**

Ralph Davis
Research Manager (GIS)
Tax Area Services Section



County of Fresno

Robert C. Werner
Assessor - Recorder

3/20/2008

Local Agency Formation Commission
Fresno County Plaza
Fresno, CA 93711



Re: 2007-08 Assessment Roll

Dear Mr. Ballantyne:

This will acknowledge that the below change has been filed with this office pursuant to Section 54,900 et. seq. of the Government Code.

Date Filed: MARCH 14, 2008
City/ District: CITY OF FRESNO

Ord./Resolution #: RO 07-23

Subject: BARSTOW-GARFIELD No. 1 REORGANIZATION

Yours Truly,
Robert C. Werner
Fresno County Assessor

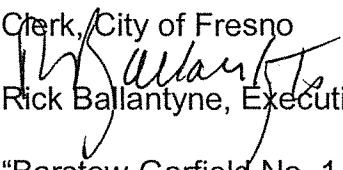
Virginia Quevedo
Cadastral Technician III



Fresno Local Agency Formation Commission

March 14, 2008

NOTICE OF COMPLETION OF BOUNDARY CHANGE

To: Clerk, City of Fresno
From:  Rick Ballantyne, Executive Officer
Subject: "Barstow-Garfield No. 1 Reorganization"
LAFCo File No. RO-07-23

Please be advised that all filings for the above approved annexation have been made, as required by California Government Code Section 57200 et seq. The change of organization is now complete and effective.

A certified copy of the Certificate of Completion is enclosed along with the map and legal description indicating the recording numbers affixed by the County Recorder. A Statement of Boundary Change was sent to the County Assessor, County Auditor, and State Board of Equalization.

A map showing the change of boundaries was also sent to the agencies listed on the attached letter of transmittal.

RB:cf

Attachments



Fresno Local Agency Formation Commission

TO: Ralph Davis, State Board of Equalization
Robert Werner, County Assessor
Vicki Crow, County Auditor

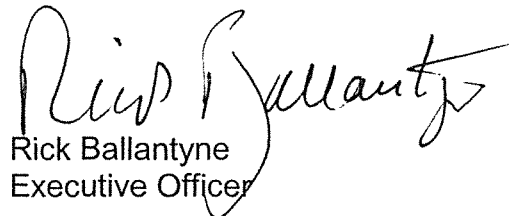
SUBJECT: "Barstow-Garfield No. 1 Reorganization"
LAFCo File No. RO-07-23

In accordance with the requirements of the California State Government Code (Section 54900 et seq.), and in accordance with Section 99(b) of the State Revenue and Taxation Code, the attached Statement of Boundary Change has been forwarded to you for filing.

A Certificate of Completion for this change of organization was executed and certified by the Executive Officer on March 14, 2008.

The change of organization was effective on March 14, 2008.

Property tax negotiations have been completed. The property tax revenue exchange shall be in accordance with the provisions of the master property tax exchange agreement on file with the Commission.


Rick Ballantyne
Executive Officer

Date: March 14, 2008

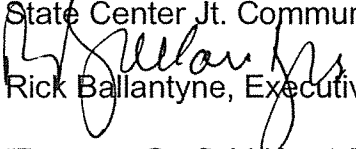
(Please acknowledge the filing of this statement by sending a receipt to our office. Thank you.)



Fresno Local Agency Formation Commission

DATE: March 14, 2008

TO: City of Fresno
North Central Fire Protection District
Kings River Conservation District
County Elections, Precinct Activities - STOP #28
Stephanie Kahl, Environmental Health - STOP #147
Bernard Jimenez, Development Services Div. - STOP #214
Development Engineering - STOP #214
Robin Quinn, Road Maintenance - STOP #214
Lynn Gorman, Planning & Resource Management - STOP #214
Parks and Recreation - STOP #214
Pat Guerrero, EMIS - STOP #214
Sheila Kirkorian, 911 Coordinator - STOP #224
Flora Kotchkina, Public Works - STOP #214 (legal attached)
Lt. Dave Price, California Highway Patrol
U. S. Department of Commerce
Malcolm Dougherty, Caltrans
State of California, Alcoholic Beverage Control
Housing Authority of City and County
Fresno Irrigation District
Central Unified School District
State Center Jt. Community College District

FROM: 
Rick Ballantyne, Executive Officer

SUBJECT: "Barstow-Garfield No. 1 Reorganization"
LAFCo File No. RO-07-23

Please be advised that all required filings for the "Barstow-Garfield No. 1 Reorganization" have been made. The change of organization was effective on March 14, 2008.

A map of the approved annexation/reorganization is attached for your reference.

RB:cf

Attachment



Fresno Local Agency Formation Commission

DATE: March 14, 2008
TO: Fresno County Recorder - Stop #4
FROM: *Rick Ballantyne*
Rick Ballantyne, Executive Officer
SUBJECT: "Barstow-Garfield No. 1 Reorganization"
LAFCo File No. RO-07-23

In order to complete the filing for this approved change of organization, we are sending you a counterpart original of the Certificate of Completion for recordation.

Please assist the completion of this filing by making the required filing of the boundary description with the County Assessor's Office and by providing the information above for verification purposes. Thank you for your assistance.

Recorded at 2:43 on 03/14/2008

Document Number 20080038031

Signed *Jack Griffith*

cc: Dave King, Assessor's Office

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Fresno Local Agency Formation Commission is the Conducting Authority.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Barstow-Garfield No. 1 Reorganization"
LAFCo File No. RO-07-23.

The affected territory is uninhabited.


The change of organization was ordered without an election, and Resolution No. RO-07-23A ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on March 5, 2008.

A legal description of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. The City of Fresno has submitted to the Executive Officer verification that a Right-to-Farm Covenant will be made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
2. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

I, Rick Ballantyne, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.



Rick Ballantyne, Executive Officer
Fresno Local Agency Formation Commission

Dated: March 14, 2008

Please mail to the Board of Equalization, Tax Area Services Section, 450 N Street, MIC:59,
 P.O. Box 942879, Sacramento, California 94279-0059.

BOE USE ONLY	
B.O.E. File No.:	_____

County: FRESNO	County # : 10	Acreage: 71.89	Fee: \$ 1,500	Res./Ord. No.:	RO-07-23A
Conducting Authority: FRESNO LOCAL AGENCY FORMATION COMMISSION				LAFCo. Res.:	RO-07-23
Short Form Designation: "BARSTOW-GARFIELD NO. 1 REORGANIZATION"				Effective Date:	MARCH 14, 2008

1. **Type of action:**
 (check one only)

<input type="checkbox"/>	01 Annexation to district	<input type="checkbox"/>	06 Consolidation of TRA's	<input type="checkbox"/>	10 Redevelopment
<input type="checkbox"/>	02 Annexation to city	<input type="checkbox"/>	07 Detachment from district	<input checked="" type="checkbox"/>	11 Name change
<input type="checkbox"/>	04 City incorporation	<input type="checkbox"/>	08 Dissolution of district	<input type="checkbox"/>	12 Reorganization
<input type="checkbox"/>	05 Consolidation of district	<input type="checkbox"/>	09 Formation-District	<input type="checkbox"/>	13 School district change

2. **Principal City/District(s) affected by action:**

DISTRICT NAME	DISTRICT NAME
ANNEX TO THE CITY OF FRESNO	
DETACH FROM NORTH CENTRAL FIRE	
DETACH FROM KINGS RIVER CONS. DISTRICT	

3. **Affected territory is legally:**

<input type="checkbox"/>	Inhabited	<input type="checkbox"/>	Developed	Number of Areas: <u>1</u>
<input checked="" type="checkbox"/>	Uninhabited	<input checked="" type="checkbox"/>	Undeveloped	

4. **The affected territory:**

<input checked="" type="checkbox"/>	Will be taxed for existing bonded indebtedness or contractual obligations as set forth by the terms and conditions as stated in the resolution.
<input type="checkbox"/>	Will not be taxed for existing bonded indebtedness or contractual obligations.

5. **Election:**

<input type="checkbox"/>	An election authorizing this action was held on _____ date
<input checked="" type="checkbox"/>	This action is exempt from election.

6. **Enclosed are the following items required at the time of filing:**

<input checked="" type="checkbox"/>	Fees	<input checked="" type="checkbox"/>	Map(s) and supporting documents
<input checked="" type="checkbox"/>	Legal description	<input checked="" type="checkbox"/>	Assessor parcel number(s) of affected territory
<input checked="" type="checkbox"/>	Resolution of conducting authority		County auditor's letter of TRA assignment (consolidated counties only)
<input checked="" type="checkbox"/>	Certificate of Completion (LAFCO only)		

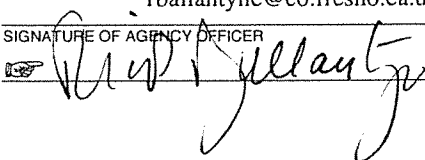
7. **City boundary changes only:**

<input checked="" type="checkbox"/>	Map of limiting addresses (2 copies)	<input type="checkbox"/>	Vicinity maps (2 copies)
<input checked="" type="checkbox"/>	Alphabetical list of all streets within the affected area to include beginning and ending street numbers		
<input checked="" type="checkbox"/>	Estimated population is: <u>10</u>		

8. **Required:**

According to section 54902 of the Government Code, copies of these documents must be filed with the county auditor and county assessor.

Board of Equalization will acknowledge receipt of filing to:

NAME RICK BALLANTYNE	BOE USE ONLY	
TITLE EXECUTIVE OFFICER		
AGENCY FRESNO LOCAL AGENCY FORMATION COMMISSION		
STREET 2115 KERN STREET, SUITE 310		
CITY FRESNO		ZIP CODE 93721
TELEPHONE NO. (559) 495-0604		FAX NO. (559) 495-0655
E-MAIL ADDRESS rballantyne@co.fresno.ca.us		
SIGNATURE OF AGENCY OFFICER 	DATE 3/14/08	

**BARSTOW-GARFIELD NO. 1 REORGANIZATION
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE
KINGS RIVER CONSERVATION DISTRICT**

GEOGRAPHIC DESCRIPTION

That portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Center Quarter corner of said Section 8,

thence (1) South 89°29'02" West, along the South line of the Northwest Quarter of said Section 8, a distance of 30.00 feet;

thence (2) North 0°00'24" West, parallel with and 30.00 feet West of the West line of the Northeast Quarter of said Section 8, a distance of 974.00 feet;

thence (3) North 89°28'46" East, along the South line of Parcel Map No. 7905, according to the map recorded in Book 63, pages 89 and 90 of Parcel Maps, Fresno County Records and its Westerly Prolongation, a distance of 707.27 feet to the Southeast corner of said Parcel Map No. 7905;

thence (4) North 0°00'22" West, along the East line of said Parcel Map No. 7905 and its Northerly prolongation, a distance of 974.00 feet;

thence (5) North 89°28'46" East, along the centerline of a 60.00 feet strip of land as shown on that Map of Survey recorded in Book 10, page 33 of Records of Surveys, Fresno County Records, a distance of 647.27 feet to the intersection with the West line of Tract No. 5338, according to the map recorded in Volume 75, pages 62, 63, 64 and 65 of Plats, Fresno County Records, said West line being on the existing limit line of the City of Fresno;

thence (6) South 0°00'12" East, along the West line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet to the Southwest corner of said Tract No. 5338;

APPROVED

LAFCO RES. # RO-07-23

January 9, 2008
DATE

BOUNDARY CHANGE RECORDED

TIME 2:43 p.m. DATE 3/14/08

DOCUMENT # 20080038031

EFFECTIVE March 14, 2008

RO-07-23
File #

thence (7) North 89°28'58" East, along the South line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 1294.48 feet;

thence (8) South 0°00'00" West, parallel with and 30.00 feet West of the East line of said Section 8, along the existing limit line of the City of Fresno, a distance of 943.32 feet;

thence (9) leaving the existing limit line of the City of Fresno South 89°28'46" West, parallel with and 30.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 2618.86 feet to the intersection with the West line of the Northeast Quarter of said Section 8;

thence (10) South 0°00'24" East, along the West line of the Northeast Quarter of said Section 8, a distance of 30.00 feet to the **Point of Beginning**.

Contains an area of **71.89** acres more or less.

Dated: October 15, 2007

Revised: November 27, 2007

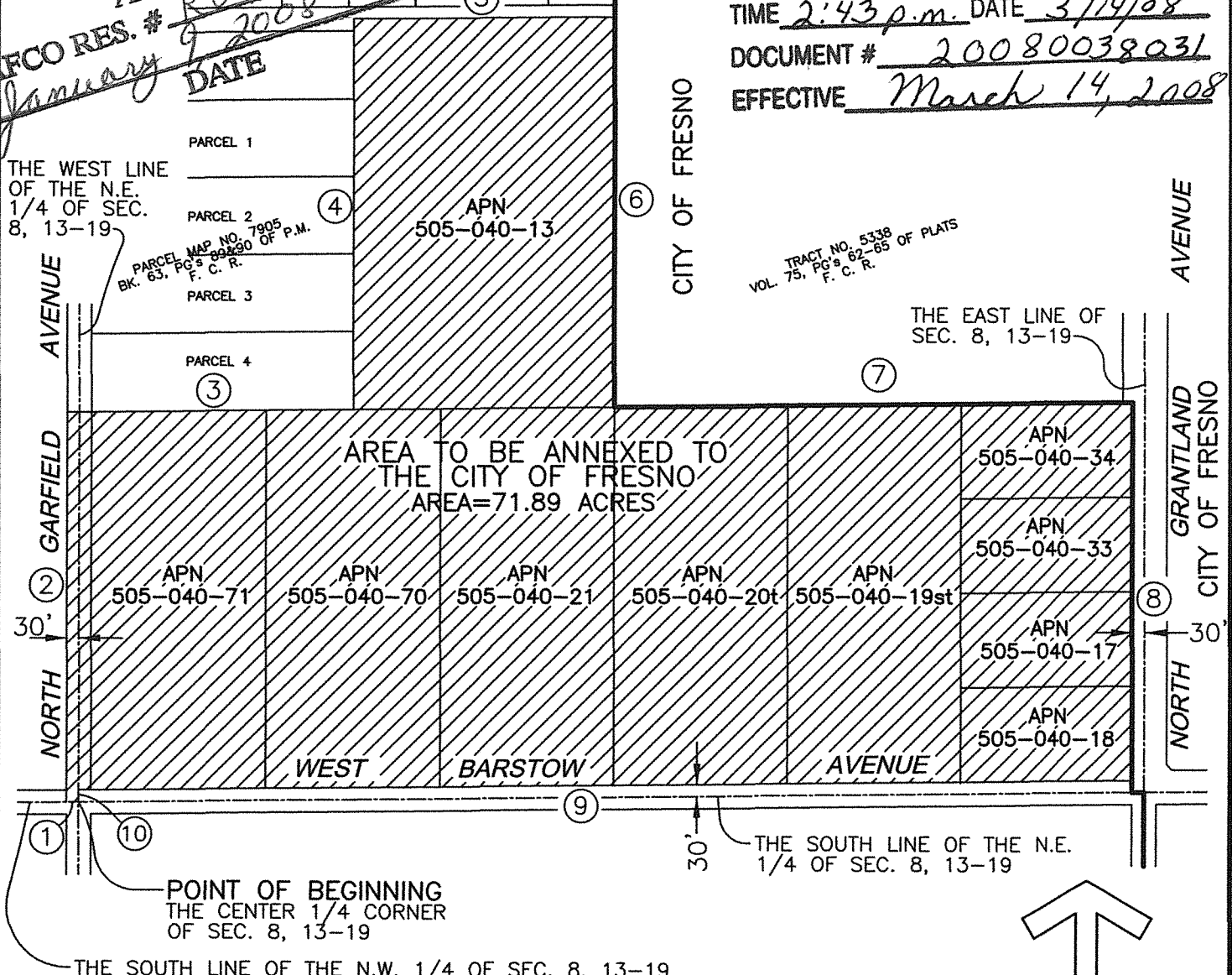
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

APPROVED
LAFCO RES. # RO-07-23
January 9, 2008
DATE

BOUNDARY CHANGE RECORDED
TIME 2:43 p.m. DATE 3/14/08
DOCUMENT # 20080038031
EFFECTIVE March 14, 2008

APPROVED
 LAFCO RES. # 20-07-23
 January 9, 2008
 DATE

BOUNDARY CHANGE RECORDED
 TIME 2:43 p.m. DATE 3/14/08
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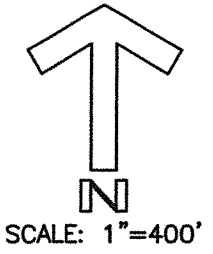


COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
4. N 00°00'22" W - 974.00'
5. N 89°28'46" E - 647.27'
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8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRSNO
- INDICATES AREA TO BE ANNEXED TO THE CITY OF FRSNO



AREA TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED BY: GARY G. GIANNETTA 1119 "S" STREET FRESNO, CA 93721 559.264.3590	BARSTOW-GARFIELD NO. 1 REORGANIZATION A PORTION OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN	PREPARED: 10/15/07 REVISED: 11/27/07 Annex. No. 1319
------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------

BARSTOW-GARFIELD No. 1

REORGANIZATION

505-040-13

505-040-17

505-040-18

505-040-19st

505-040-20t

505-040-21

505-040-33

505-040-34

505-040-70

505-040-71

Statement of Covenants Affecting Land Development
Acknowledging Right-to-Farm Law
Tract No. 5600
Page 2

RECITALS

WHEREAS, LENNAR FRESNO, INC., a California Corporation, hereinafter referred to as the "Covenantor," is the owner of that certain real property in the City of Fresno, County of Fresno, State of California, hereinafter referred to as the "Subject Property" and more particularly described as:

Lots 1 through 82, inclusive, and Outlots A, B, C, D and E of Tract No. 5600 according to the map thereof recorded on June 12, 2008 in Volume 80 of Plats at Page(s) 68-73, Fresno County Records; and

WHEREAS, the Covenantor hereby warrants that any and all parties having record title interest in the Subject Property which may ripen into a fee have subordinated to this instrument and that all such instruments of Subordination, if any, are attached hereto and made a part of this instrument; and

WHEREAS, the Covenantor has filed and the City of Fresno has approved, Vesting Tentative Map No. 5600/UGM for a 264-lot single family residential subdivision including 5 outlots for aggregate open space for landscaping and recreational purposes and 1 outlot for irrigation purposes, hereinafter referred to as the "Tentative Map;" and

WHEREAS, the Covenantor has filed with the City of Fresno a Final Map of Tract No. 5600, hereinafter referred to as the "Final Map," pursuant to said Tentative Map; and

WHEREAS, the City of Fresno desires to obtain covenants from the Covenantor to insure that the Subject Property is not developed, used, or maintained in such a way as to adversely affect adjoining properties.

COVENANTS, CONDITIONS, AND RESTRICTIONS

For favorable action on, and approval of, the Covenantor's application for approval of said Final Map, the Covenantor hereby covenants that the Subject Property shall be held, conveyed, encumbered, used, occupied, developed, maintained, and improved subject to the following

Statement of Covenants Affecting Land Development
Acknowledging Right-to-Farm Law
Tract No. 5600
Page 3

covenants, conditions, and restrictions, which are for the purpose of enhancing attractiveness, usefulness, value, and desirability of the Subject Property, the surrounding property, and the public at large and to minimize possible adverse effects on the public health, safety, peace, and general welfare. Each of the covenants, conditions, and restrictions contained in this Statement will run with the Subject Property and shall be binding on each successive owner of the Subject Property and his heirs, administrators, successors, and assigns.

1. Covenantor hereby acknowledges that the declared policy of Fresno County is to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products and that the subject property is near agricultural districts which are located in the County of Fresno and that the residents of said property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code §3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not be or become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.

2. The conditions of this Statement are intended to benefit the public and public properties. Accordingly, the City of Fresno shall have the right to enforce this Statement by any legal or equitable means against the Covenantor and such person or persons in actual possession of Subject Property who directly or who through any agent violate the terms hereof. All obligations of the Covenantor under this Statement shall inure solely to the benefit of the City of Fresno. There are no third party beneficiaries of such obligations nor shall the right of the City of Fresno be transferable in any manner to any person other than to a successor municipal corporation whose geographic boundaries include the Subject Property.

3. The foregoing conditions shall remain in full force and effect until such time as the City of Fresno, pursuant to the district amendment procedure of the Fresno Municipal Code, finds the enforcement of such condition is no longer equitable.

Statement of Covenants Affecting Land Development
Acknowledging Right-to-Farm Law
Tract No. 5600
Page 4

4. In the event that litigation is instituted to enforce or interpret any provision of this Statement, the parties agree that the prevailing party shall be paid reasonable attorney's fees, costs and litigation expenses.

5. The provisions of this Statement shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof. Whenever the context so requires, any gender includes the other genders, the singular includes the plural, and the plural includes the singular.


* * * * *

Statement of Covenants Affecting Land Development
Acknowledging Right-to-Farm Law
Tract No. 5600
Page 5

DATED: 06/03/09

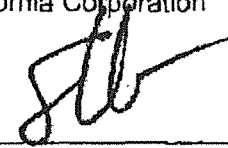
CITY OF FRESNO,
a Municipal Corporation

Planning and Development Department
Nick P. Yovino

By: 
Keith Bergthold, Assistant Director

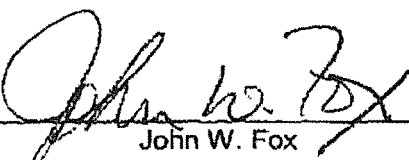
COVENANTOR

LENNAR FRESNO, INC.,
a California Corporation

By: 
Steve Lutton, Vice President

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By: 
John W. Fox
Deputy City Attorney

Date: 5/29/2008

(Attach Notary Acknowledgment)

ACKNOWLEDGMENT

State of California
County of Fresno

On May 15, 2008 before me, T. Rothermel, Notary Public
(insert name and title of the officer)

personally appeared Steve Lutton
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature T. Rothermel

(Seal)



CLERK'S CERTIFICATION

State of California)
County of Fresno)

On June 5, 2008, before me, Elvia Sommerville, Deputy City Clerk, City of Fresno, personally appeared, Keith Bergthold, Assistant Planning and Development Director, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

REBECCA E. KLISCH, CMC
City Clerk, City of Fresno

By *Elvia Sommerville*
Deputy

County _____

Sheet No. _____

Request

Insert

Change

Delete

ing Street

Directional

Street Name

Suffix

v Street

Directional

Street Name

Suffix

ing Community

MSAG Abbreviation

TB Map/Grid

w Community

Low Number

High Number

Odd/Even

ESN

PacBell Use

isting Range

(1)

Address

(2)

(3)

(4)

(5)

New Range

(1)

(2)

(3)

(4)

(5)

Customer Remarks

No Change

1. Signed _____ Agency _____ Tel # _____ Date _____

Copy to:

Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin | |

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonce

Remarks _____

County _____

Sheet No. _____

Request

Insert

Change

Delete

Existing Street

N
Directional

Garfield Avenue
Street Name

Suffix

New Street

Directional

Street Name

Suffix

Existing Community

MSAG Abbreviation

TB Map/Grid

New Community

Existing Range

Low Number

High Number

Odd/Even

ESN

PacBell Use

(1) 5500

5666

Even

(2)

(3)

(4)

(5)

New Range

(1)

(2)

(3)

(4)

(5)

Customer Remarks

No Change

1. Signed _____ Agency _____ Tel # _____ Date _____

Copy to:

Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin ()

PacBell Use Only

Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonce

Remarks _____

Master Street Address Guide (MSAG) Change Request

County _____

Sheet No. _____

Type Request

Insert

Change

Delete

Existing Street

W.
Directional

Barstow Avenue
Street Name

Suffix

New Street

Directional

Street Name

Suffix

Existing Community

MSAG Abbreviation

TB Map/Grid

New Community

Existing Range

	Low Number	High Number	Odd/Even	ESN	PacBell Use
(1)	<u>7018</u>	<u>7450</u>	<u>Even</u>	_____	_____
(2)	_____	_____	_____	_____	_____
(3)	_____	_____	_____	_____	_____
(4)	_____	_____	_____	_____	_____
(5)	_____	_____	_____	_____	_____

New Range

(1)	_____	_____	_____	_____	_____
(2)	_____	_____	_____	_____	_____
(3)	_____	_____	_____	_____	_____
(4)	_____	_____	_____	_____	_____
(5)	_____	_____	_____	_____	_____

Customer Remarks

No Change

1. Signed _____ Agency _____ Tel # _____ Date _____

Copy to:

Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin []

PacBell Use Only

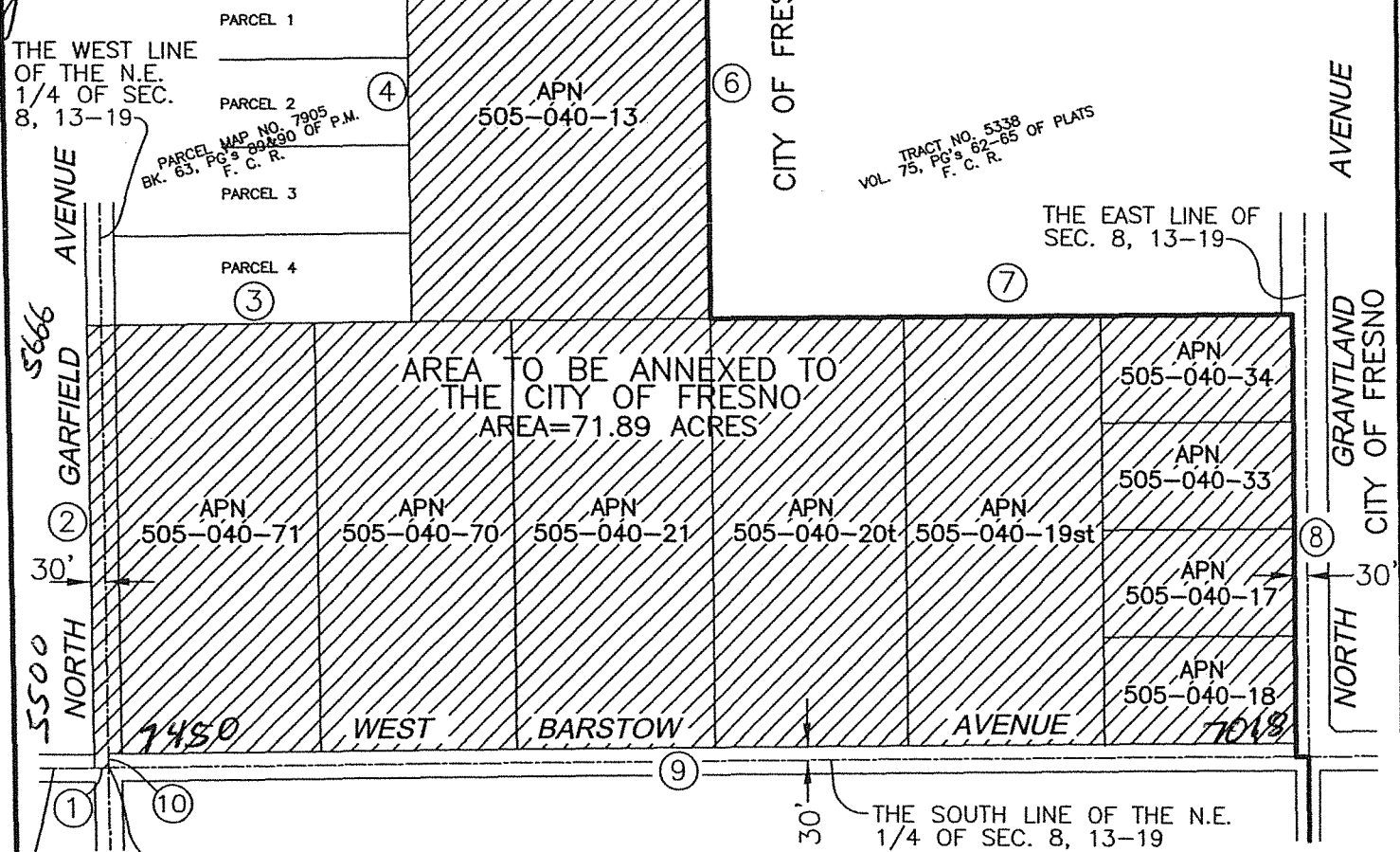
Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

ESN Priority _____ ALI ID _____

Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

APPROVED
AFCO RES. # 20-07-23
January 9, 2008
DATE



AREA TO BE ANNEXED TO
 THE CITY OF FRESNO
 AREA=71.89 ACRES

APN 505-040-71 APN 505-040-70 APN 505-040-21 APN 505-040-20t APN 505-040-19st APN 505-040-34
 APN 505-040-33
 APN 505-040-17
 APN 505-040-18

POINT OF BEGINNING
 THE CENTER 1/4 CORNER
 OF SEC. 8, 13-19

THE SOUTH LINE OF THE N.W. 1/4 OF SEC. 8, 13-19

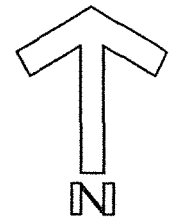
THE SOUTH LINE OF THE N.E.
 1/4 OF SEC. 8, 13-19

COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
4. N 00°00'22" W - 974.00'
5. N 89°28'46" E - 647.27'
6. S 00°00'12" E - 974.00'
7. N 89°28'58" E - 1294.48'
8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRSNO
- INDICATES AREA TO BE ANNEXED TO THE CITY OF FRSNO



SCALE: 1"=400'

AREA TO BE ANNEXED TO THE CITY OF FRESNO AND
 DETACHED FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT
 AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED BY:

GARY G. GIANNETTA
 1119 S STREET
 FRESNO, CA 93721
 559.264.3590

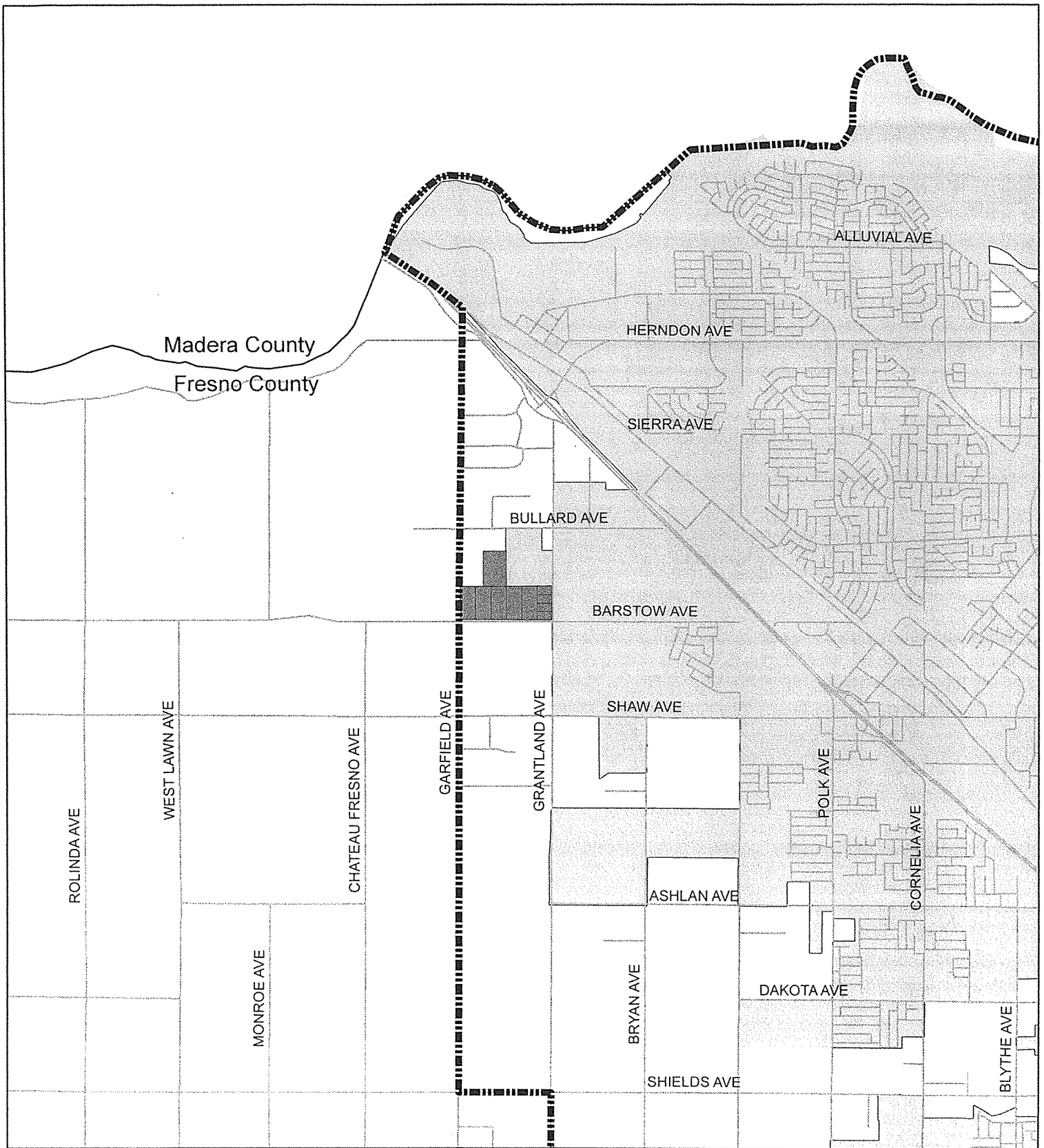
**BARSTOW-GARFIELD NO. 1
 REORGANIZATION**

A PORTION OF SECTION 8,
 TOWNSHIP 13 SOUTH, RANGE 19 EAST,
 MOUNT DIABLO BASE AND MERIDIAN




PREPARED:
 10/15/07
 REVISED:
 11/27/07

Annex. No. 1319

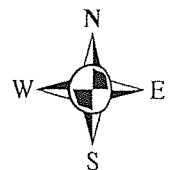
FIGURE 1 - GENERAL SITE LOCATION



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



REMITTANCE ADVICE

STABOA State Board of Equalization
 P.O. Box 942879
 Sacramento, CA 94279

Granville Management, Inc.
 Check Number 22-00016646
 Check Date Mar 12, 2008

Date	Invoice	Reference	Invoice Amt	Retention	Discount	Payment
0027	Granville at Barstow, Inc.					
03/12/08	RECORDATION 3/08	5597,000	1,500.00	0.00	0.00	1,500.00
Total Remittance			1,500.00	0.00	.00	1,500.00

VALLEY PRINTING & PROMOTIONS (559) 453-6950

ORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER & HAS A MICROPRINTED BORDER

Granville Management, Inc.

1396 W. Herndon Ave., #101
 Fresno, CA 93711

California Bank & Trust
 7060 N. Fresno
 Fresno, CA 93720

11-204
 1210

Date
 Mar 12, 2008

Check Number
 22-00016646

Pay **One Thousand Five Hundred Dollars 00 Cents**

Amount
 \$1,500.00

To
 The
 Order
 Of
 State Board of Equalization
 P.O. Box 942879
 Sacramento, CA 94279

Granville Management, Inc.

Per *Betsy E Garcia*
 PAYABLE IN US DOLLARS

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

⑈00016646⑈ ⑆121002042⑆ 1340420361⑈

NOTIFICATION OF COMMISSION ACTION, AND CHECKLIST FOR COMPLETION OF LAFCO PROCEEDINGS

Fresno Local Agency Formation Commission (LAFCo)
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559)495-0655

PROPOSAL: "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

The above proposal has been approved by the Commission and the Conducting Authority Proceedings are complete. In order for us to issue a Certificate of Completion and record this proposal, please forward the following items.

Corrected Maps and Legal Descriptions.

OK Evidence of compliance with all conditions of approval, if applicable. (See attached EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS form.)

OK Check made payable to State Board of Equalization for fees. A fee is required if property tax revenue is to be exchanged, or if a separate tax rate delineator is needed to collect a special assessment. The fee for your proposal is: \$1,500.

6 The following information required by the State Board of Equalization for all city annexations:

1. An alphabetical listing of all existing streets within the affected area to include beginning and ending street numbers. If a street is on the border of the affected area, indicate if the odd or even numbers are in the affected area.
2. Two copies of Maps of the city boundary change showing existing streets and limiting street address ranges.
3. Two copies of Vicinity or Location maps showing the City boundary in relation to annexation area.
4. Estimated current population of city boundary change area: _____

The city has the option of also filing a Department of Finance Housing Unit change form to inform them immediately of annexation completions involving a population change and thus obtain faster changes for population gain. Contact the State Department of Finance to obtain the appropriate form.

A copy of the City's Certificate of Land Conservation Contract Termination adopted pursuant to Section 51243.5 of the Gov. Code, including a legal description of the land for which the City terminates the Contract, all to be recorded with the County Recorder at the same time as LAFCo files and records the Certificate of Completion.

A Master Street Address Guide Change Request form if street names or addresses will change. If you have any questions regarding this form, please contact Sheila LaPonte at 488-1614.

(Please attach a copy of this form when submitting the documents above for completion.)

SUBMITTED BY: _____

AGENCY: _____

PHONE NUMBER: _____

Rick Ballantyne, LAFCo Executive Officer

EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS
Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559) 495-0655

PROPOSAL: "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

1. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
2. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

CITY VERIFICATION

I hereby certify that all of the above actions have been taken by the City of Fresno in compliance with the terms and conditions of the Commission's approval of the above proposal (to be completed by authorized City representative).

_____ NAME (PLEASE PRINT OR TYPE)	_____ (TITLE)
_____ SIGNATURE	_____ DATE

Date: November 27, 2007
To: Dominick Laverne, Assessor's Office
From: Samantha Hendricks, LAFCo
Subject: "Barstow-Garfield No. 1 Reorganization"

Please review the attached revised map and legal description and approve or notify us as to how it is insufficient. We would appreciate your comments as soon as possible.

Thank you,

Sh

Attachment: Map and Legal Description

December 3, 2007

Samantha;

This has been approved.

Nick LaVerne
Cadastral Technician



**BARSTOW-GARFIELD NO. 1 REORGANIZATION
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE
KINGS RIVER CONSERVATION DISTRICT**

GEOGRAPHIC DESCRIPTION

That portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Center Quarter corner of said Section 8,

thence (1) South $89^{\circ}29'02''$ West, along the South line of the Northwest Quarter of said Section 8, a distance of 30.00 feet;

thence (2) North $0^{\circ}00'24''$ West, parallel with and 30.00 feet West of the West line of the Northeast Quarter of said Section 8, a distance of 974.00 feet;

thence (3) North $89^{\circ}28'46''$ East, along the South line of Parcel Map No. 7905, according to the map recorded in Book 63, pages 89 and 90 of Parcel Maps, Fresno County Records and its Westerly Prolongation, a distance of 707.27 feet to the Southeast corner of said Parcel Map No. 7905;

thence (4) North $0^{\circ}00'22''$ West, along the East line of said Parcel Map No. 7905 and its Northerly prolongation, a distance of 974.00 feet;

thence (5) North $89^{\circ}28'46''$ East, along the centerline of a 60.00 feet strip of land as shown on that Map of Survey recorded in Book 10, page 33 of Records of Surveys, Fresno County Records, a distance of 647.27 feet to the intersection with the West line of Tract No. 5338, according to the map recorded in Volume 75, pages 62, 63, 64 and 65 of Plats, Fresno County Records, said West line being on the existing limit line of the City of Fresno;

thence (6) South $0^{\circ}00'12''$ East, along the West line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet to the Southwest corner of said Tract No. 5338;

APPROVED

RO-07-23

File #

thence (7) North $89^{\circ}28'58''$ East, along the South line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 1294.48 feet;

thence (8) South $0^{\circ}00'00''$ West, parallel with and 30.00 feet West of the East line of said Section 8, along the existing limit line of the City of Fresno, a distance of 943.32 feet;

thence (9) leaving the existing limit line of the City of Fresno South $89^{\circ}28'46''$ West, parallel with and 30.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 2618.86 feet to the intersection with the West line of the Northeast Quarter of said Section 8;

thence (10) South $0^{\circ}00'24''$ East, along the West line of the Northeast Quarter of said Section 8, a distance of 30.00 feet to the **Point of Beginning**.

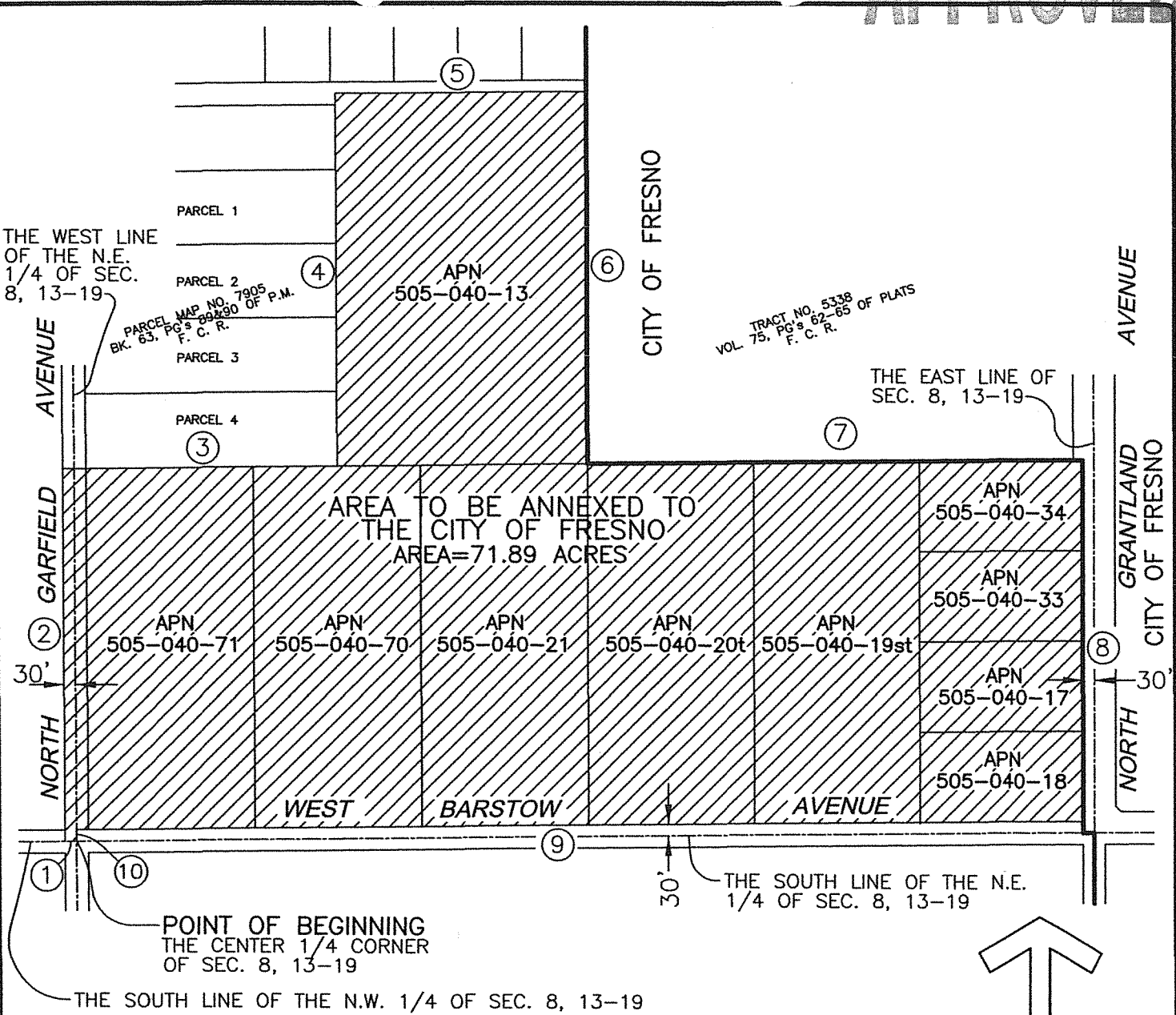
Contains an area of **71.89** acres more or less.

Dated: October 15, 2007

Revised: November 27, 2007

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

APPROVED

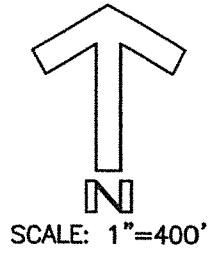


COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
4. N 00°00'22" W - 974.00'
5. N 89°28'46" E - 647.27'
6. S 00°00'12" E - 974.00'
7. N 89°28'58" E - 1294.48'
8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRSNO
- ▨ INDICATES AREA TO BE ANNEXED TO THE CITY OF FRSNO



AREA TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED BY:
GARY G. GIANNETTA
1119 "S" STREET
FRESNO, CA 93721
559.264.3590

BARSTOW-GARFIELD NO. 1 REORGANIZATION
A PORTION OF SECTION 8,
TOWNSHIP 13 SOUTH, RANGE 19 EAST,
MOUNT DIABLO BASE AND MERIDIAN

PREPARED:
10/15/07
REVISED:
11/27/07

RESOLUTION NO. RO-07-23A

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

CONDUCTING AUTHORITY PROCEEDINGS

**DETERMINE THE VALUE OF PROTESTS) RESOLUTION OF APPROVAL STANDS
RECEIVED AND NOT WITHDRAWN)
RELATED TO THE "BARSTOW-GARFIELD)
NO. 1 REORGANIZATION")**

WHEREAS, these Conducting Authority proceedings concerning the approved "Barstow-Garfield No. 1 Reorganization" were duly and regularly conducted pursuant to Division 3 of Title 3 of the California Government Code, commencing with Section 56000; and

WHEREAS, said Reorganization included the annexation of 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues, and further described in Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, at its January 9, 2008 meeting, this Commission conditionally approved the "Barstow-Garfield No. 1 Reorganization" by adopting Resolution No. RO-07-23; and

WHEREAS, at the January 9, 2008 hearing, this Commission found that not all property owners had submitted a signed, written waiver of protest proceedings and directed the Executive Officer to set the matter for a protest hearing pursuant to Section 57002 of the Government Code; and

WHEREAS, the Executive Officer duly gave notice of the protest hearing in accordance with California Government Code Section 57025, and all other applicable sections of the California Government Code, said noticing being published in the local newspaper and mailed to all property owners in the affected territory; and

WHEREAS, all property owners in the affected territory were provided with written individual notification summarizing the approved reorganization, outlining the protest procedures and rules for protesting an uninhabited annexation, and an Official LAFCo Protest Form; and

WHEREAS, this Commission on March 5, 2008, held a duly noticed Protest Hearing, as provided for in Section 57000 et seq. of the California Government Code for the purpose of hearing objections and protests to the approved reorganization, to receive written "official" protests, and to allow for the withdrawal of any written protests filed with this Commission prior to or at said hearing, if any; and

WHEREAS, at said protest hearing prior to considering protests and objections, the Executive Officer orally summarized Commission Resolution No. RO-07-23 for this Commission and those in attendance at said hearing; and

WHEREAS, pursuant to the California Government Code Commission actions for uninhabited annexations include the following:

1. Terminate proceedings if a majority protest exists. A majority protest is deemed to exist and the proposed reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent the following:

In the case of uninhabited territory, landowners owning 50 percent or more of the assessed value of the land within the territory (Gov. Code Section 57078).

2. Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

WHEREAS, pursuant to the California Government Code said reorganization could only be terminated if written protests filed with the Executive Officer or this Commission (and not withdrawn) equaled 50 percent or more of the landowners residing within the affected territory; and

WHEREAS, following an opportunity for public testimony and an opportunity to file or withdraw written protests, the Executive Officer reported that at the time the public hearing was closed at said protest hearing that four (4) written protests were filed on Official Protest Forms by landowners residing within the affected territory and not withdrawn; and

WHEREAS, the Executive Officer reported that the total assessed value of properties owned by said property owners totaled \$116,207 or 19.47 percent of the total property value of the affected territory; and

WHEREAS, the Executive Officer reported that the value of the written protests received and not withdrawn was insufficient to reverse the Commission's January 9, 2008, approval of said reorganization.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission of Fresno County does hereby STATE, FIND, DETERMINE, AND ORDER as follows:

Section #1. This Commission determines that following an opportunity for public testimony and an opportunity to file or withdraw written protests that at the time the public hearing was closed at said protest hearing that four (4) written protests were filed on Official Protest Form(s) by landowners residing within the affected territory and not withdrawn.

Section #2. This Commission determines that following an examination by LAFCo staff of the total assessed value of property in the affected territory that the value of the written protest is insufficient to reverse this Commission's January 9, 2008, approval of said reorganization.

Section #3. This Commission hereby determines that Resolution No. RO-07-23 adopted at the regular LAFCo hearing on the 9th day of January, 2008, conditionally ordering the "Barstow-Garfield No. 1 Reorganization" stands as ordered.

Section #4. All proceedings of this Commission concerning the proposed Reorganization have been duly carried out and completed, in conformity with all applicable laws.

PASSED AND ADOPTED BY THE FRESNO LOCAL AGENCY FORMATION COMMISSION THIS 5TH DAY OF MARCH, 2008, BY THE FOLLOWING VOTE TO WIT:

AYES: Commissioners Anderson, Fortune, Neri, Perea, Rodriguez

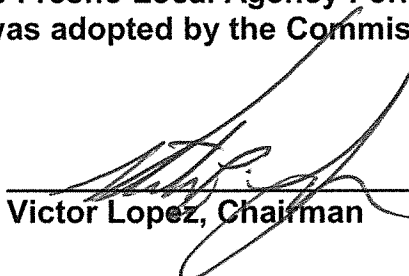
NOES: None

ABSENT: Commissioner Lopez

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

CERTIFICATION

I, Victor Lopez, Chairman of the Fresno Local Agency Formation Commission certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 5th day of March, 2008.






Victor Lopez, Chairman

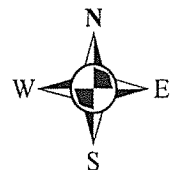
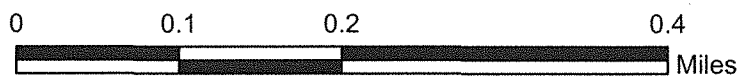
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



RO-07-23

NO_APN	TX_NM_OWNR	TX_NM_OWNR	TX_ADDR_M_	TX_ADDR_M_	AMT_LAND	PROTEST
50504013	JFJ FARMS INC	% R JURA	7900 W HERNDON	FRESNO CA 93722	\$107,832	
50504017	DANKS RICHARD T & IRENE REVOC LIV TR		5561 N GRANTLAND AVE	FRESNO CA 93722	\$21,790	\$21,790
50504018	BURRIS KENNY D & JOYCE E		7018 W BARSTOW AVE	FRESNO CA 93722	\$21,790	\$21,790
50504019ST	FRESNO MET FLD CONT DIST				\$0	
50504020T	FRESNO MET FLD CONT DIST				\$0	
50504021	LEE KENNETH K & JOANNA S	LEE TONG TOMMY ETAL	5763 E BOOKER	FRESNO CA 93727	\$180,168	
50504033	LEWIS ERNEST M & DONNA M		5577 N GRANTLAND AVE	FRESNO CA 93722	\$22,633	\$22,633
50504034	KANG WOON SOP & CHOONG SEK		5633 N GRANTLAND	FRESNO CA 93722	\$49,994	\$49,994
50504070	JFJ FARMS INC		7900 W HERNDON	FRESNO CA 93722	\$112,468	
50504071	ROMAN CATHOLIC BISHOP OF FRESNO		1550 N FRESNO	FRESNO CA 93703	\$80,300	

Total Protest Value 19.47% \$596,975 \$116,207

OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

Each of the undersigned is the landowner of the property located within the proposal area described below. The undersigned hereby protests the proposed "Barstow-Garfield No. 1 Reorganization" as provided for in Section 57051 of the California Government Code.

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date 2/24/08 Name Ernie Lewis
(Please type or print)

Full Legal Signature Ernie M. Lewis

Address 5577 No. Grantland Fresno CA 93723
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date 2/24/08 Name DONNA LEWIS
(Please type or print)

Full Legal Signature Donna M. Lewis

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

5577 N. Grantland Fresno, Ca 93723

Address or other description _____

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ Name _____
(Please type or print)

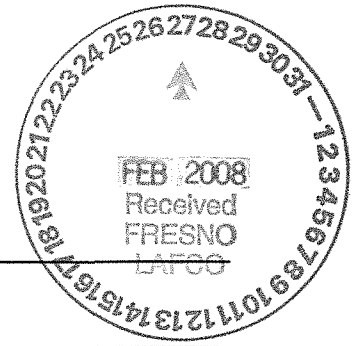
Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

PLEASE NOTE - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest. It is understood that for landowner protests involving a parcel with more than one owner listed on the County's Assessment Roll, only the signer's proportionate share of the value of the property will be credited in the protest.



February 24, 2008

Ernie Lewis
5577 N. Grantland
Fresno, Ca. 93723

Fresno LAFCO File RO-07-23

Being the oldest resident in the proposed annexation and rezoning area I am protesting this action. I have no doubt that it will happen anyway. I still have some major concerns and promises that to this date, to my knowledge, have not been addressed or met.

I have been a resident at this address since 1965. I am an owner/operator of a DumpTruck Service since 1987, and have run the business from this address since then. My concern is that I will be asked or told to operate only certain hours because of possible complaints from the new residents about starting my truck in the early mornings or coming in late.

One of the biggest problems is the road. When the road was put back after the median was put in, the road is higher than our properties so the water would come straight onto our properties, when it rains. The solution was a curb that was put in after I had to tear down a fence to have it installed. When I drive out my driveway, not only am I unable to see the on coming traffic, but my vehicles scrape bottom and once I've gone over the curb, I'm in the middle of the street, which is an accident waiting to happen. My poor neighbor to the North of me doesn't even have that luxury. Now when it rains the Danks", to the south of me, swim to their mailbox, and we have a huge puddle that stands in front of our properties, which is also an accident waiting to happen. The speed zone is 40 but people fly down this road. Also when part of my frontage was dug up for the road, I was promised they would put it back with the original crushed rock and a fence. Nothing has been done. There is a left hand turn lane arrow which I have to enter improperly to enter my driveway. After the media was put in there is heavy traffic making u turns in front of my driveway because there are residents unable to get to Dovewood going south.

We were promised we could live in Rural Residential as long as we did not sell out property. My concern is that I would have to right to leave this property to my child and it still have it stay Rural Residential. The unsettling part of this whole thing is that we have not received any agreement for the original promises that were made.

Thank you for your time.

Ernie & Donna Lewis

Ernie Lewis
Donna Lewis

OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

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NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

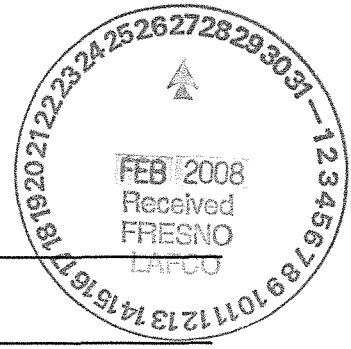
Date 2-25-08 Name WOON S KANG
(Please type or print)

Full Legal Signature Woon Sap Kang

Address 5633 N. GRANTLAND FRESNO
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____



NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date 2-25-08 Name CHOONG S KANG
(Please type or print)

Full Legal Signature Choong sik kang

Address 5633 N GRANTLAND FRESNO
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ Name _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

PLEASE NOTE - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest. It is understood that for landowner protests involving a parcel with more than one owner listed on the County's Assessment Roll, only the signer's proportionate share of the value of the property will be credited in the protest.

Woon and choong

5633N.GRANTLAND AVE FRESNO, CA 93723

Feb 25, 2008

FRESNO LAFCO
2115 KERN ST Suite 310
Fresno,CA 93721

Re; LAFO File RO-67-23

Bing landowner in the proposed annexation and rezoning area we still protest the action. We have no doubt that it will happen anyway but certain promises were made which to our knowledge have not occurred.

1. we are property owners in the subject rezone annexation area. Even though we are sure the annexation will take place, we still protest it.

We have an extremely unsafe condition at our driveway entrance. When the median was installed it provided only one lane for southbound traffic across the front of our property. Entering and leaving the street is hazardous due to poor visibility and the many drivers who do not observe the 40 MPH speed limit.

The well water situation is the same as our neighbors. So much development has occurred it is causing all of our well water levels to drop.

Woon KANG

CHOONG KANG

Woon Kang

choong kang

OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

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NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

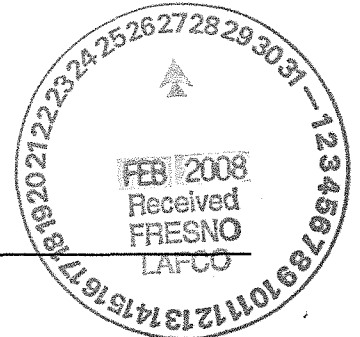
Date Feb 25, 2008 Name RICHARD T. DANKS
(Please type or print)

Full Legal Signature Richard T. Danks

Address 5561 N. GRANLAND AVE FRESNO
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____



NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date Feb 25, 2008 Name IRENE K. DANKS
(Please type or print)

Full Legal Signature Irene K. Danks

Address 5561 N. GRANLAND AVE FRESNO
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ Name _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

PLEASE NOTE - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest. It is understood that for landowner protests involving a parcel with more than one owner listed on the County's Assessment Roll, only the signer's proportionate share of the value of the property will be credited in the protest.



**D^{IC}
AN K^S**
5561 N. GRANTLAND AVE.
FRESNO, CA 93723



Feb 25, 2008

Fresno LAFCo
2115 Kern Street Suite 310
Fresno, CA 93721

Re: LAFCo File RO-07-23

Being landowners in the proposed annexation and rezoning area we still protest the action. We have no doubt that it will happen anyway but certain promises were made which to our knowledge have not occurred.

1. We were to receive assurance that we could continue to occupy our property as we have according to RR zoning rules. No letter to that affect has been received. As I recall councilman Calhoun stated that we should be sent a letter so stating. A letter from Nick Yovino dated 8-20-07 stated that they were making an "Annexation Overlay" allowing RR zoning rules to apply. Did it happen?
2. Water and sewer hook ups were also a part of our protest. The sewer concerns do not appear urgent but the water level in our wells is going down. Jeff Roberts suggested that the city waive the hook up application fees when that time comes. We've heard nothing about that either.
3. The street is entirely unsatisfactory. Besides having to drive over a curb when entering or leaving our property there is a mini lake across the front of our place. Boots are needed to get to our mailbox.

Richard T. Danks

Richard T. Danks

Irene K. Danks

Irene K. Danks

OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

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NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date 2-24-08 Name KEVIN & JOYCE BURRIS
(Please type or print)

Full Legal Signature Joyce Burris

Address 7018 W. BARSTOW FRESNO
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ Name _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ Name _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description _____

PLEASE NOTE - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest. It is understood that for landowner protests involving a parcel with more than one owner listed on the County's Assessment Roll, only the signer's proportionate share of the value of the property will be credited in the protest.

February 25, 2008

Fresno LAFCo
2115 Kern Street, Suite 130
Fresno, Ca. 93721



Re: LAFCo File RO-67-23

To whom it may concern:

This letter is to inform that we oppose the annexation as it would change our way of life as it is now known. We moved here for the country life, not city life. We are being forced upon to be annexed and be put on city water and sewer which we should not be required to pay for these hook up fees as we did not ask for this. If the city is willing to waive these fees we would not oppose annexation. Because the real estate market has slowed down and houses are taking longer to sell, we are concerned that the development of new homes and infrastructures could take several years down the road. We would like to request a waiver in writing stating that if our wells go dry or problems occur with our sewer, that we would be able to repair our sewers or wells ourselves until we are required for hook up in the future.

Gregory Brewer *Joyce Brewer*

DATE: March 5, 2008

TO: Fresno Local Agency Formation Commission

FROM: Rick Ballantyne, Executive Officer

SUBJECT: **Conducting Authority Proceedings - City of Fresno "Barstow-Garfield No. 1 Reorganization"**. A reorganization submitted by landowner petition to annex 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (**LAFCo File No. RO-07-23**).

Background and Summary

- This protest hearing is being conducted pursuant to the California Government Code commencing with Section 57000 which requires LAFCo to carry out Conducting Authority Proceedings.
- At its January 9, 2008 meeting, the Commission conditionally approved the "Barstow-Garfield No. 1 Reorganization" by adopting Resolution No. RO-07-23, attached to this Report as Exhibit "A". This protest hearing is required because not all landowners had signed consent forms prior to the Commission's action.
- The approved reorganization consists of the annexation of 69.5 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues.
- At today's hearing, prior to consideration of protests, the Commission's resolution making determinations will be summarized. The Commission will then hear and receive any oral or written protests, objections, or evidence made, presented, or filed.
- All property owners residing within the affected territory were sent written notice of this hearing, instructions on how to protest, and an official protest form (see Exhibit "B"). At this writing, staff has not received any official written protests.
- At any time prior to the conclusion of this hearing any landowner within the affected territory may file a written protest against the annexation.
- Should insufficient valid protests be received and not withdrawn, the Commission's determination to conditionally approve the reorganization stands.¹

¹ Not longer than 30 days following this hearing in accordance with Government Code Sections 56100, 57075, and 57078.

Recommendation

Direct staff to determine the value of valid protests received and not withdrawn and report these results to the Commission within the time prescribed by State law. If feasible, report these results at this hearing.

Conducting Authority Proceedings

Executive Officer's Summary

The following is a summary of the Commission's Resolution making determinations, which must be presented at the hearing prior to the Commission's consideration of protests.

- At its January 9, 2008 meeting, having considered all relevant factors and heard all interested parties wishing to speak regarding the proposal, the Commission determined that the environmental effects of the project as shown in the CEQA documents submitted by the Lead Agency were legally adequate pursuant to the CEQA Guidelines and that the proposed reorganization was consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and LAFCo Policies, Standards and Procedures.
- The Commission approved the proposed Reorganization subject to conditions as contained within the adopted Fresno LAFCo Commission Resolution (see Exhibit "A").
- Having determined that the affected territory is uninhabited but that not all landowners in the territory consented to the annexation in writing, the Commission directed staff to set a protest hearing pursuant to the requirements of California Government Code Section 57000.

Public Testimony

Prior to making its determination for this proposal the Commission must hear and receive any oral or written protests, objections, or evidence made, presented, or filed. The Chairman may call for any final protests to be filed or withdrawn prior to closing the public hearing. The annexation will be terminated if written protests filed with the Executive Officer (and not withdrawn) are sufficient to overturn the Commission's action. Protest procedures for uninhabited annexations are outlined below:

Commission Action

In the case of an uninhabited proposal for a City where a change of organization consists of an annexation and detachment, the Commission is required to make a finding regarding the value of written protests filed and not withdrawn, and take one of the following actions not more than 30 days after the conclusion of the hearing:

- (1) Terminate proceedings if a majority protest exists. A majority protest is deemed to exist and the proposed reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent landowners owning 50 percent or more of the assessed value of the land within the territory (Government Code Section 57078a).
- (2) Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

Annexation Ordered

The change of organization (annexation) will be ordered if the number of protests filed with the LAFCo Executive Officer (and not withdrawn) falls below the threshold numbers stated above, subject to the previously mentioned condition.

Calculating the Value of Protests Received

At the close of the public hearing, staff may be directed to determine the value of valid protests received and not withdrawn. Should substantial valid protests be received and not withdrawn, staff may be directed to determine the value of all protests and issue written results to the Commission within 30 days. The reorganization will stand as approved if the number of protests filed with LAFCo (and not withdrawn) falls below the thresholds described above.

Exhibit "A"

RESOLUTION NO. RO-07-23

FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA

In the Matter of:

LAFCo Determination

A REQUEST BY LANDOWNER PETITION)
FOR APPROVAL OF THE "BARSTOW-)
GARFIELD NO. 1 REORGANIZATION")

APPROVED WITH CONDITIONS

WHEREAS, reorganization proceedings were initiated by Landowner Petition to annex 69.5 acres of territory to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues; said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, an application was submitted to this Commission by Landowner 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 9th day of January, 2008, at the hour of 1:30 p.m.; and

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

WHEREAS, the North Central Fire Protection District and the City of Fresno have a transition agreement in full force and effect that applies to fire protection services within the affected territory on file with the Commission; and

WHEREAS, a Master Property Tax Sharing Agreement exists between the City of Fresno and the County of Fresno, the responsible local agencies for the exchange of property tax revenues covering this reorganization; and

WHEREAS, the County of Fresno submitted a letter to this Commission stating that the County has determined that the proposed annexation of the affected territory to the City of Fresno is consistent with the Master Property Tax Sharing Agreement; 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, said report was duly considered by this Commission pursuant to State Law; and

WHEREAS, this Commission reviewed and considered the information in the Master Environmental Impact Report (MEIR) No. 10130, prepared and certified for the 2025 Fresno General Plan by the Lead Agency, the City of Fresno, which was included in the Executive Officer's report to this Commission; and

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

WHEREAS, this Commission considered a request by the applicant, Jeff Roberts, to waive the recommended staff condition that the City accept a final tract map prior to recordation and determined that such request was in order.

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

Section #1. Acting as a Responsible Agency under CEQA Guidelines, this Commission considered the information in the Initial Study and the Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) prepared for this Proposal by the City of Fresno prior to making its determination and finds as follows:

1. The subsequent Proposal is within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan.
2. The proposed Proposal will have no additional significant effect, as defined by subdivision (d) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR.
3. No new or additional mitigation measures or alternatives are required in order to avoid or mitigate a significant environmental effect (CEQA Section 15177).
4. The Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law.
5. The City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.

Section #2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section #3. This Commission assigns the distinctive short form designation "Barstow-Garfield No. 1 Reorganization" and approves the reorganization (annexation and detachments) subject to the following conditions of approval:

1. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
2. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

Section #4. This Commission finds and determines pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

- 1. The territory is uninhabited.
- 2. All landowners have not consented to the Reorganization in writing.

Section #5. This Commission directs staff to set a protest hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).

Section #6. This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, terms and conditions, and the issuance of a Certificate of Completion by the Executive Officer.

Section #7. The Executive Officer is hereby authorized and directed to mail certified 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 9TH DAY OF JANUARY, 2008, BY THE FOLLOWING VOTE:

AYES: Commissioners Rodriguez, Fortune, and Lopez


NOES None

ABSENT: Commissioners Anderson and Perea

**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 9th day of January, 2008.






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

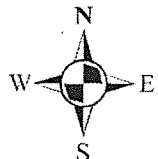
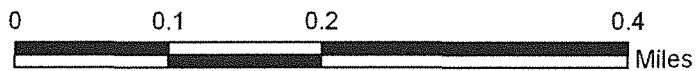
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

NOTICE OF PROTEST HEARING

PLEASE BE ADVISED THAT A PROTEST HEARING will be held by the Fresno Local Agency Formation Commission (LAFCo) on **Wednesday, March 5, 2008, at 1:30 p.m., or as soon thereafter as possible**, in Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno concerning the following:

City of Fresno "Barstow-Garfield No. 1 Reorganization". A reorganization submitted by landowner petition to annex 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (**LAFCo File No. RO-07-23**).


At its January 9, 2008 hearing, the Fresno Local Agency Formation Commission approved this reorganization (annexation and detachments). Because your property is located in the affected territory, you have the right to protest this decision should you disagree with it. For a complete description of the proposed reorganization, including its boundaries, terms, and conditions, you may request a copy of LAFCo's Resolution approving the proposal at the address below.

HOW TO FILE A PROTEST: Owners of land within the boundaries of the affected territory may file written protests in opposition to the proposed annexation. Protests may either be mailed or delivered to Fresno LAFCo, 2115 Kern Street, Suite 310, Fresno, CA 93721, or presented to the Commission before the end of the protest hearing. You need not attend the hearing to file a protest, but each protest form must state that you are a landowner and must include your name, mailing address and street address (if different) or an Assessor Parcel Number (APN) identifying the location of your property within the affected territory. Written protests must be filed and received no later than the conclusion of the hearing to be considered valid. Each protest filed will be counted separately. An **Official LAFCo Protest Form** is attached if you wish to file a protest. This form may be copied. The results of protests received will be determined within 30 days following the hearing in accordance with California Government Code Sections 57075 and 57078.

EFFECT OF PROTEST: Proceedings will be terminated if the Commission finds that valid written protests filed and not withdrawn prior to the conclusion of the Protest Hearing represent landowners owning 50 percent or more of the assessed value of the land within the affected territory. Otherwise, annexation of your property to the City of Fresno will occur.

For additional **information** please contact the Commission Office, 2115 Kern Street, Suite 310, Fresno, CA 93721. Please direct any questions or comments to Rick Ballantyne, LAFCo Executive Officer at **(559) 495-0604** or e-mail Mr. Ballantyne at rballantyne@co.fresno.ca.us.

The staff report for this item will be available five days before the hearing on our Website at www.fresnolafco.org, or for additional information, contact the Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721. Please direct any questions or comments to Rick Ballantyne, LAFCo Executive Officer at **(559) 495-0604** or e-mail Mr. Ballantyne at rballantyne@co.fresno.ca.us.


Rick Ballantyne
Fresno LAFCo Executive Officer

DATED: February 11, 2008
LAFCo File No.: RO-07-23

**OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"**

Each of the undersigned is the landowner of the property located within the proposal area described below. The undersigned hereby protests the proposed "Barstow-Garfield No. 1 Reorganization" as provided for in Section 57051 of the California Government Code.

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description

PLEASE NOTE - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest. It is understood that for landowner protests involving a parcel with more than one owner listed on the County's Assessment Roll, only the signer's proportionate share of the value of the property will be credited in the protest.

P.O. Box 126
Fresno, CA 93707
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

NOTICE OF PROTEST HEARING
FRESNO LOCAL AGENCY FORMATION COMMISSION
(LAFCo)

(LAFCo File No. RO-07-23)

DATE AND TIME OF HEARING:

MARCH 5, 2008, 1:30 P.M.

MISC. NOTICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

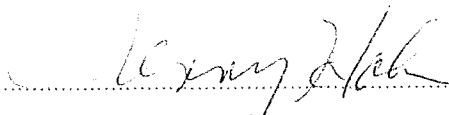
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or intrested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

FEBRUARY 11, 2008

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

FEBRUARY 11, 2008

ON



DECLARATION OF PUBLICATION (2015.5 C.C.P.)

NOTICE OF PROTEST HEARING
FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
PLEASE BE ADVISED THAT A PROTEST HEARING will be held on Wednesday, March 5, 2008, by the Fresno Local Agency Formation Commission (LAFCo) concerning the following proposals:

City of Fresno "Barstow-Garfield No. 1 Reorganization". A reorganization submitted by landowner petition to annex 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (LAFCo File No. RO-07-23).

If you own land within the "Barstow-Garfield No. 1 Reorganization" area as shown above, you have protest rights and may file a written protest in opposition to the change of your property. Official LAFCo Protest Forms may be mailed to or delivered to the Fresno LAFCo office (address below) or presented to the LAFCo Commission before the end of the protest hearing. Please contact the LAFCo Office to obtain information about how to protest and to request an Official LAFCo Protest Form. An Official LAFCo Protest Form must be utilized to submit a valid protest. Forms will also be available at the hearing.

THE PROTEST HEARING WILL BE HELD at 1:30 p.m., or as soon thereafter as possible, on Wednesday, March 5, 2008, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. For information contact the Fresno LAFCo Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721. Please direct questions to Rick Ballantyne, LAFCo Executive Officer at (559) 495-0604 or e-mail Mr. Ballantyne at rballantyne@co.fresno.ca.us. The staff reports for the above proposal will be available to view on our website at: fresnolafco.org after February 28, 2008.

DATED: February 11, 2008
2/11/2008

CORRECTED

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO) NOTICE OF PROTEST HEARING

PLEASE BE ADVISED THAT A PROTEST HEARING will be held by the Fresno Local Agency Formation Commission (LAFCo) **on Wednesday, March 5, 2008, at 1:30 p.m., or as soon thereafter as possible**, in Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno concerning the following:

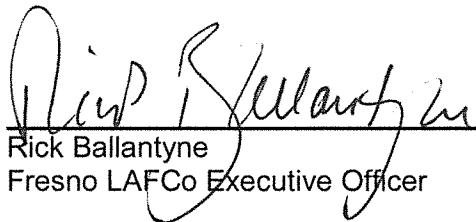
City of Fresno "Barstow-Garfield No. 1 Reorganization". A reorganization submitted by landowner petition to annex 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (**LAFCo File No. RO-07-23**).

At its January 9, 2008 hearing, the Fresno Local Agency Formation Commission approved this reorganization (annexation and detachments). Because your property is located in the affected territory, you have the right to protest this decision should you disagree with it. For a complete description of the proposed reorganization, including its boundaries, terms, and conditions, you may request a copy of LAFCo's Resolution approving the proposal at the address below.

HOW TO FILE A PROTEST: Owners of land within the boundaries of the affected territory may file written protests in opposition to the proposed annexation. Protests may either be mailed or delivered to Fresno LAFCo, 2115 Kern Street, Suite 310, Fresno, CA 93721, or presented to the Commission before the end of the protest hearing. You need not attend the hearing to file a protest, but each protest form must state that you are a landowner and must include your name, mailing address and street address (if different) or an Assessor Parcel Number (APN) identifying the location of your property within the affected territory. Written protests must be filed and received no later than the conclusion of the hearing to be considered valid. Each protest filed will be counted separately. An **Official LAFCo Protest Form** is attached if you wish to file a protest. This form may be copied. The results of protests received will be determined within 30 days following the hearing in accordance with California Government Code Sections 57075 and 57078.

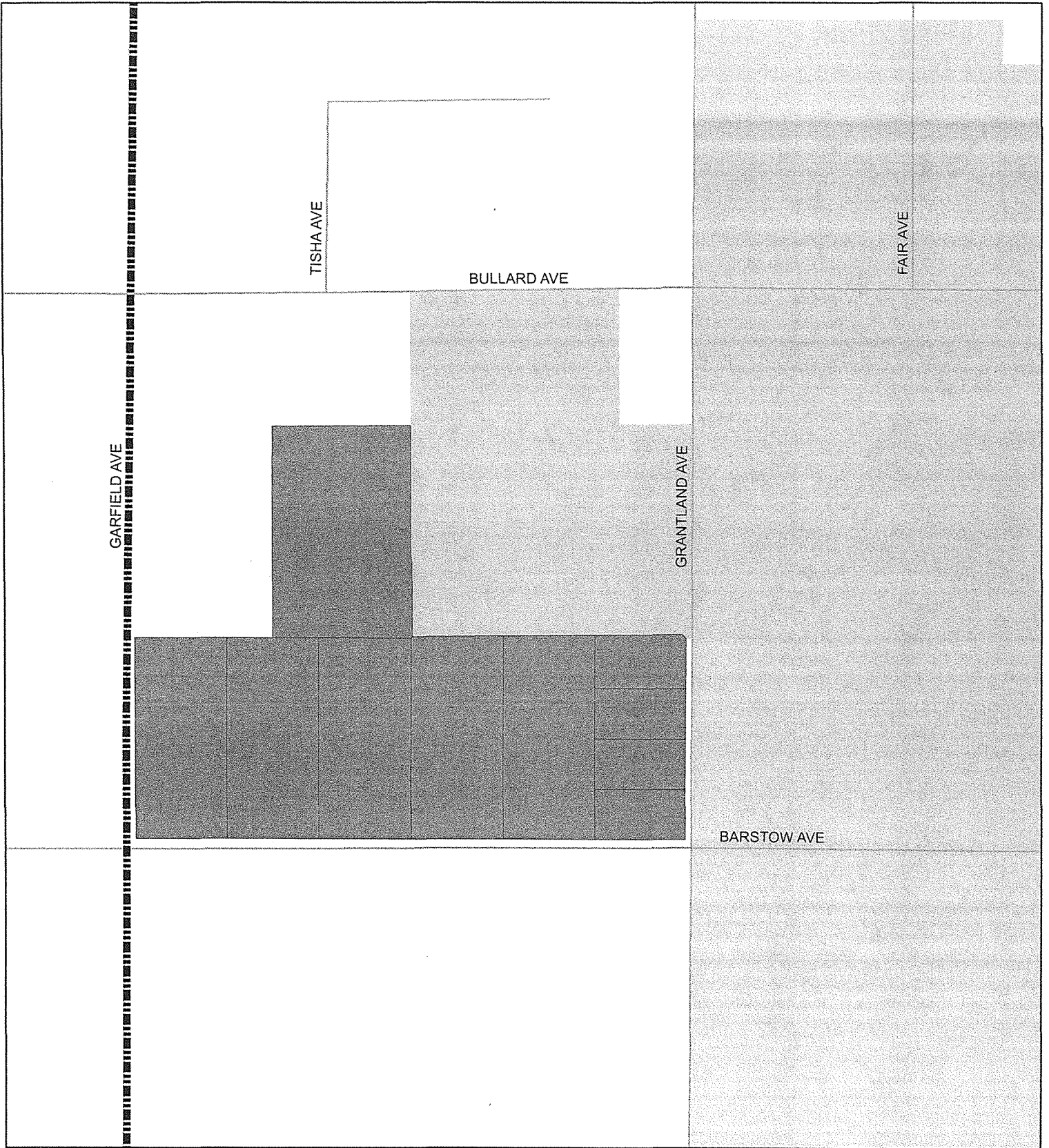
EFFECT OF PROTEST: Proceedings will be terminated if the Commission finds that valid written protests filed and not withdrawn prior to the conclusion of the Protest Hearing represent landowners owning 50 percent or more of the assessed value of the land within the affected territory. Otherwise, annexation of your property to the City of Fresno will occur.

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



Rick Ballantyne
Fresno LAFCo Executive Officer

DATED: February 11, 2008
LAFCo File No.: RO-07-23

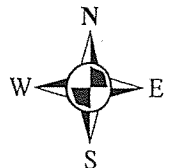
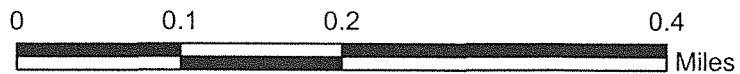
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

Each of the undersigned is the landowner of the property located within the proposal area described below. The undersigned hereby protests the proposed "Barstow-Garfield No. 1 Reorganization" as provided for in Section 57051 of the California Government Code.

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
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Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description

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FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

NOTICE OF PROTEST HEARING

PLEASE BE ADVISED THAT A PROTEST HEARING will be held by the Fresno Local Agency Formation Commission (LAFCo) on **Wednesday, March 5, 2008, at 1:30 p.m., or as soon thereafter as possible**, in Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno concerning the following:

City of Fresno "Barstow-Garfield No. 1 Reorganization". A reorganization submitted by landowner petition to annex 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (**LAFCo File No. RO-07-23**).

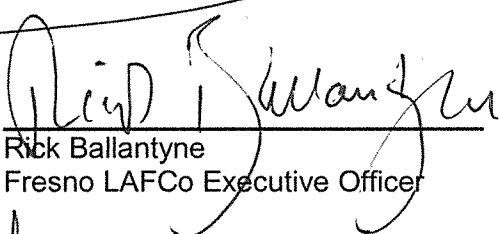
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HOW TO FILE A PROTEST: Owners of land within the boundaries of the affected territory may file written protests in opposition to the proposed annexation. Protests may either be mailed or delivered to Fresno LAFCo, 2115 Kern Street, Suite 310, Fresno, CA 93721, or presented to the Commission before the end of the protest hearing. You need not attend the hearing to file a protest, but each protest form must state that you are a landowner and must include your name, mailing address and street address (if different) or an Assessor Parcel Number (APN) identifying the location of your property within the affected territory. Written protests must be filed and received no later than the conclusion of the hearing to be considered valid. Each protest filed will be counted separately. An **Official LAFCo Protest Form** is attached if you wish to file a protest. This form may be copied. The results of protests received will be determined within 30 days following the hearing in accordance with California Government Code Sections 57075 and 57078.

MAJORITY PROTEST: In the case of uninhabited territory (**like yours**), proceedings will be terminated if the Commission finds that valid written protests filed and not withdrawn prior to the conclusion of the Protest Hearing represent landowners owning 50 percent or more of the assessed value of the land within the affected territory. Otherwise, annexation of your property to the City of Fresno will occur.

ANNEXATION WILL OCCUR: Annexation of your property to the City of Fresno will occur without an election if valid protests have been filed and not withdrawn by less than 25 percent of the registered voters or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the affected territory. In this case the Commission's approval stands and the reorganization is ordered.

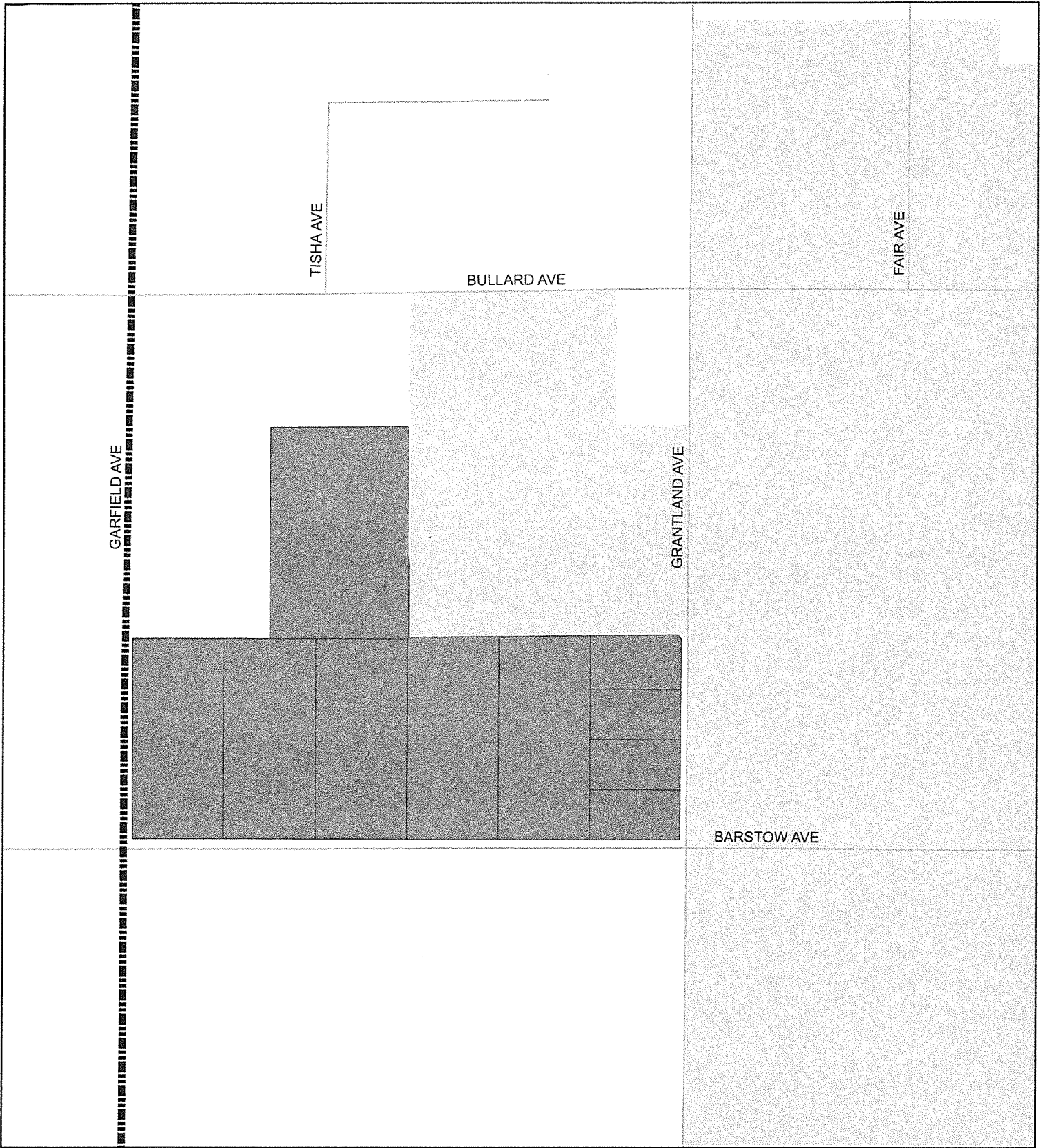
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Rick Ballantyne
Fresno LAFCo Executive Officer




DATED: February 11, 2008
LAFCo File No.: RO-07-23

Candid - wants Form for uninhabited annexation
Must send out corrected notice
Tham

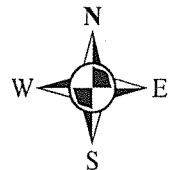
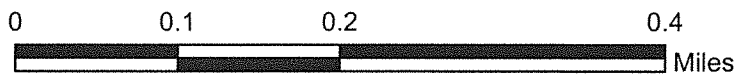
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



OFFICIAL LAFCo PROTEST FORM
CITY OF FRESNO "BARSTOW-GARFIELD NO. 1 REORGANIZATION"

Each of the undersigned is the landowner of the property located within the proposal area described below. The undersigned hereby protests the proposed "Barstow-Garfield No. 1 Reorganization" as provided for in Section 57051 of the California Government Code.

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

Description of affected property if not at above address _____
Assessor's Parcel Number if known

Address or other description

NAME OF PROPOSAL "BARSTOW-GARFIELD NO. 1 REORGANIZATION", RO-07-23

Land Owner

Date _____ **Name** _____
(Please type or print)

Full Legal Signature _____

Address _____
Number Street City or town

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Address or other description

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RESOLUTION NO. RO-07-23

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

In the Matter of:

LAFCo Determination

**A REQUEST BY LANDOWNER PETITION)
FOR APPROVAL OF THE "BARSTOW-)
GARFIELD NO. 1 REORGANIZATION")** **APPROVED WITH CONDITIONS**

WHEREAS, reorganization proceedings were initiated by Landowner Petition to annex 69.5 acres of territory to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues; said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, an application was submitted to this Commission by Landowner 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 9th day of January, 2008, at the hour of 1:30 p.m.; and

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

WHEREAS, the North Central Fire Protection District and the City of Fresno have a transition agreement in full force and effect that applies to fire protection services within the affected territory on file with the Commission; and

WHEREAS, a Master Property Tax Sharing Agreement exists between the City of Fresno and the County of Fresno, the responsible local agencies for the exchange of property tax revenues covering this reorganization; and

WHEREAS, the County of Fresno submitted a letter to this Commission stating that the County has determined that the proposed annexation of the affected territory to the City of Fresno is consistent with the Master Property Tax Sharing Agreement; 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, said report was duly considered by this Commission pursuant to State Law; and

WHEREAS, this Commission reviewed and considered the information in the Master Environmental Impact Report (MEIR) No. 10130, prepared and certified for the 2025 Fresno General Plan by the Lead Agency, the City of Fresno, which was included in the Executive Officer's report to this Commission; and

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

WHEREAS, this Commission considered a request by the applicant, Jeff Roberts, to waive the recommended staff condition that the City accept a final tract map prior to recordation and determined that such request was in order.

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

Section #1. Acting as a Responsible Agency under CEQA Guidelines, this Commission considered the information in the Initial Study and the Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) prepared for this Proposal by the City of Fresno prior to making its determination and finds as follows:

1. The subsequent Proposal is within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan.
2. The proposed Proposal will have no additional significant effect, as defined by subdivision (d) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR.
3. No new or additional mitigation measures or alternatives are required in order to avoid or mitigate a significant environmental effect (CEQA Section 15177).
4. The Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law.
5. The City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.

Section #2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section #3. This Commission assigns the distinctive short form designation "Barstow-Garfield No. 1 Reorganization" and approves the reorganization (annexation and detachments) subject to the following conditions of approval:

1. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
2. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

Section #4. This Commission finds and determines pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

1. The territory is uninhabited.
2. All landowners have not consented to the Reorganization in writing.

Section #5. This Commission directs staff to set a protest hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).

Section #6. This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, terms and conditions, and the issuance of a Certificate of Completion by the Executive Officer.

Section #7. The Executive Officer is hereby authorized and directed to mail certified 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 9TH DAY OF JANUARY, 2008, BY THE FOLLOWING VOTE:

AYES: Commissioners Rodriguez, Fortune, and Lopez


NOES None

ABSENT: Commissioners Anderson and Perea

**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 9th day of January, 2008.






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

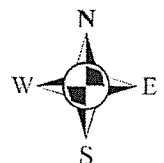
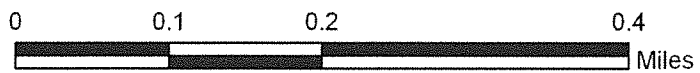
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



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

AGENDA ITEM No. 12

DATE: January 9, 2008
TO: Fresno Local Agency Formation Commission
FROM: Rick Ballantyne, Executive Officer
SUBJECT: **Consider Conditional Approval - City of Fresno "Barstow-Garfield No. 1 Reorganization"**. A reorganization submitted by landowner petition to annex 69.5 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (LAFCo File No. RO-07-23).

Applicant: Jeff Roberts, Vice President, Granville Homes

Land Owners/Parties of Real Interest: Granville Homes, Inc. (Farid, Farshid, and Darius Assemi), JFJ Farms, Inc., Richard T. & Irene Danks Living Trust, Kenny D. & Joyce E. Burris, Fresno Metropolitan Flood Control District, Kenneth K. & Joanna S. Lee, Ernest M. & Donna M. Lewis, Woon Sop & Choong Sek Kang, and Roman Catholic Bishop of Fresno

Background:

- This Proposal has been scheduled for public hearing because not all property owners have consented to the reorganization.
- This Proposal was initiated by landowner petition on October 15, 2007, and a Certificate of Filing has been issued by the LAFCo Executive Officer.
- On August 15, 2007, the City of Fresno Planning Commission approved Vesting Tentative Tract Map No. 5597/UGM that allowed a 214-lot single-family residential subdivision on 41.5 acres of the affected territory.
- On September 18, 2007, the Fresno City Council pre-zoned the property from County R-R (Rural-Residential) District to City R-1/UGM (Single-Family Residential/Urban Growth Management); R-2/UGM (Low-Density Multiple-Family/Urban Growth Management); and R-A/UGM (Single-Family Residential-Agriculture/Urban Growth Management) Districts.

Proposal / Land Use:

- The Proposal consists of the annexation of approximately 69.5 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.
- The affected territory is located within the City of Fresno's Sphere of Influence area and is bounded by Fresno's City Limits on the north and east sides (see attached Maps).

- The affected territory consists predominately of undeveloped land with some rural-residential parcels located along N. Grantland Avenue. Single-family residential development exists north and east of the affected territory, agricultural to the south and west, and rural residential to the north.

Environmental Determination:

The City of Fresno (“Lead Agency”) determined pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act “CEQA”) that the proposed Reorganization is within the scope of the “Master Environmental Impact Report (MEIR) No. 10130” prepared and certified for the 2025 Fresno General Plan.

Previously, the Commission was provided with copies of the Final MEIR for the 2025 Fresno General Plan. As a Responsible Agency under CEQA Guidelines, prior to approving the present Proposal, the Commission is required to consider the information in the MEIR, the Initial Study, and adopted mitigation measures for the Proposal on which the Lead Agency based its “Finding of Conformity with the MEIR” pursuant to Section 21157.1 of the California Public Resources Code.

Following such review, the Commission may determine the subsequent Proposal to be within the scope of the (overall) project covered by the MEIR, and that the Proposal will have no additional significant effect on the environment, as defined by subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the MEIR and that no new or additional mitigation measures or alternatives are required in order to avoid or mitigate a significant environmental effect (CEQA Section 15177). Accordingly, it is recommended that the Commission adopt the finding in Recommended Action “A”.

Consistency with LAFCo Policies, Standards and Procedures

- The affected territory is located within the City of Fresno’s Sphere of Influence (SOI) and adjacent to the existing City Limits along the north and east territory boundaries (see Maps and Figures).
- The Proposal is consistent with the 2025 Fresno General Plan and the West Area Community Plan that designate the territory for Medium-Low and Medium-High Density Residential, and Open Space-Ponding Basin uses.
- The Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) Standards for Annexation between the City of Fresno and County of Fresno (see letter from Mr. Bart Bohn, Fresno County CAO, November 8, 2007 - Correspondence and Comments).
- The City of Fresno and the North Central Fire Protection District have an agreement in place to provide for the transition of fire protection services to the affected territory.
- The Proposal furthers 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.
- Substantial development is planned for the affected territory. The Service Plan submitted for this Reorganization indicates that all necessary urban services (water, sewer, police, fire, etc.) are available to serve the affected territory (see Service Plan).

- The Proposal will reasonably assist the City in achieving its fair share of the regional housing needs, as required under Government Code Section 56668.
- The Proposal, with the recommended conditions, does not conflict with the goals and policies of LAFCo. The Proposal is timely, it represents an appropriate action, and would result in orderly land use planning, efficient development patterns and service areas, and does not encourage urban sprawl.
- The Proposal, with the recommended conditions, would carry out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Accordingly, the Proposal, with the recommended conditions, is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code 56000 et seq.), and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

Conducting Authority

The affected territory is uninhabited but not all property owners have consented to the reorganization. Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, should this Proposal be approved, it will be necessary to set a protest hearing. The protest hearing cannot be held prior to the expiration of the reconsideration period (30 days), and the date of the hearing shall not take place less than 21 days after notice is given.

Recommendation –Approve With Conditions by Taking the Following Actions:

- A. Acting as a Responsible Agency under CEQA Guidelines, state that this Commission considered the information in the Initial Study and the Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) prepared for this Proposal by the City of Fresno prior to making its determination and finds as follows:
 1. The subsequent Proposal is within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan.
 2. The proposed Proposal will have no additional significant effect, as defined by subdivision (d) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR.
 3. No new or additional mitigation measures or alternatives are required in order to avoid or mitigate a significant environmental effect (CEQA Section 15177).
 4. The Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law.
 5. The City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

- C. Assign the distinctive short form designation "Barstow-Garfield No. 1 Reorganization" and approve the reorganization (annexation and detachments) subject to the following conditions of approval:
1. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
 2. Satisfactory verification that the City has accepted a final tract map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
 3. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
- D. Find and determine pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:
1. The territory is uninhabited.
 2. All landowners have not consented to the Reorganization in writing.
- E. Direct staff to set a protest hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).

APPLICATION INFORMATION

1. **Affected Territory**

Acreage:	69.5 acres
Current Land Use:	Vacant and Rural Residential
Number of Residences/ Population:	Residences: 4 / Population: 10
Landowners/ Registered Voters:	Landowners: 8 / Voters: 8
Previous County Zoning:	R-R
City Zoning Upon Annexation:	R-1/UGM, R-2/UGM, and R-A/UGM
Agricultural Preserves/Contract(s):	None
Assessor Parcel Number(s):	505-040-13, 17, 18, 19ST, 20T, 21, 33, 34, 70, and 71

2. **Proposed Development:** Vesting Tentative Tract Map No. 5597 was approved to allow the creation of 214 single-family residential lots on 41.5 acres of the affected territory.
3. **Surrounding Territory:** Surrounding land uses consists of single-family residential development to the north and east of the affected territory, agricultural to the south and west, and rural-residential to the north.
4. **Consistency with Adopted Sphere of Influence (SOI):** The affected territory is within the City of Fresno's adopted Sphere of Influence.
5. **Consistency with City and County General and Specific Plans:** The Proposal is consistent with the City of Fresno's adopted long-range goals and policies. The Proposal furthers 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
Community Water System	Wells	City of Fresno
Community Sewer System	Septic	City of Fresno
Fire Protection	North Central Fire Protect. Dist.	City of Fresno
Distance to Station	1.5 miles	½ mile

Please Note: A Service Plan for this Proposal is attached to the Executive Officer's report.

7. **Cities and Districts Included Wholly or Partially within the Affected Territory.**

County of Fresno	Fresno County Library District
Kings River Conservation District	North Central Fire Protection District
State Center Community College District	Central Unified School District
Fresno Mosquito Abatement District	Fresno Metropolitan Flood Control District
Fresno Irrigation District	West Fresno Red Scale Protective District

8. **Costs and Other Changes Affecting Residents or Landowners**

Residents will be required to pay City rates for solid waste within five years.

9. **Agencies and Individuals Submitting Comments** (see Correspondence and Comments)

- Bart Bohn, CAO, County of Fresno
- Betty Vaughn, Elections Division, County of Fresno
- Steve Bloem, Fresno Irrigation District
- Glenn Allen, REHS, Fresno County Health
- Karen Bosch Cobb, County Librarian
- Doug McCauley, Fresno Metropolitan Flood Control District
- Joanne Striebich, Caltrans
- David Deel, Facilities Planning Manager, Central Unified School District

10. **Territory Boundaries:** The boundaries of the proposed annexation are definite and certain, and there are no conflicts with lines of assessment ownership. The map and description are sufficient per David King (Assessment Services Supervisor, Fresno County Assessor's Office,) for recordation or filing with the State Board of Equalization.

11. **Registered Voter Data**

The County of Fresno Elections Office reported that on November 21, 2007, there were **eight (8)** registered voters in the affected territory.

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

Lead Agency: City of Fresno - **Level of Analysis:** Initial Study

Finding: Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130). Notice of Determination filed with the Fresno County Clerk on April 21, 2006. The Initial Study and Finding of Conformity are attached to the Executive Officer's Report (see Environmental Documents).

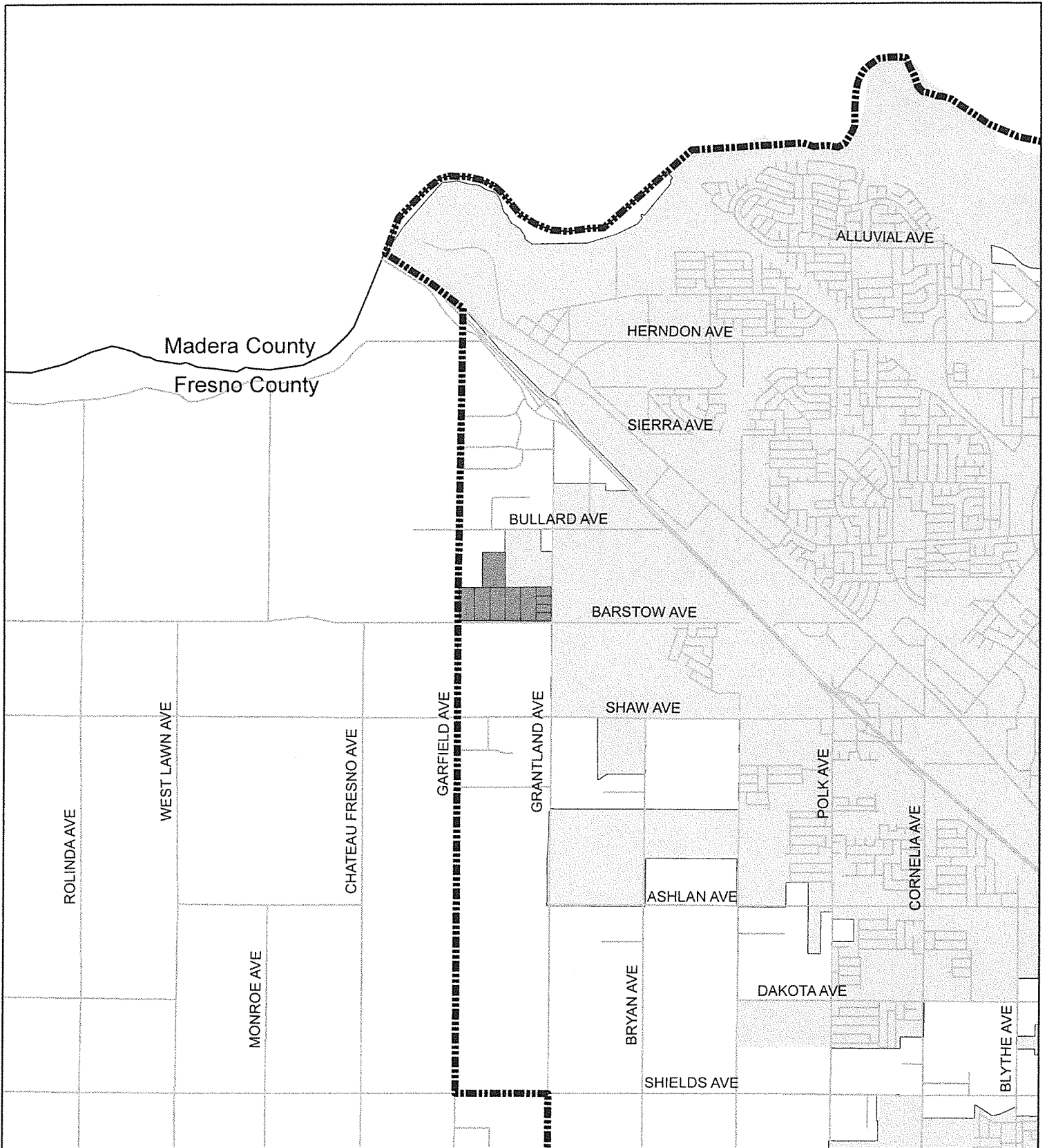
13. **Proponent:** Jeff Roberts, Vice President, Granville Homes

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




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

- Ken Price, LAFCo Counsel, Baker, Manock, and Jensen
- Jeffrey Roberts, VP, Granville Homes, Inc.
- Nick Yovino, Planning and Development Director, City of Fresno
- Andrew Souza, City Manager, City of Fresno
- Gil Haro, Planning Manager, City of Fresno
- Bernard Jimenez, Division Manager, Development Services Division, Fresno County Public Works and Planning Department
- Will Kettler, Fresno County Public Works and Planning
- Lonnie Downs, North Central Fire Protection District
- David Orth, Kings River Conservation District

FIGURE 1 - GENERAL SITE LOCATION



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23

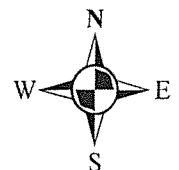
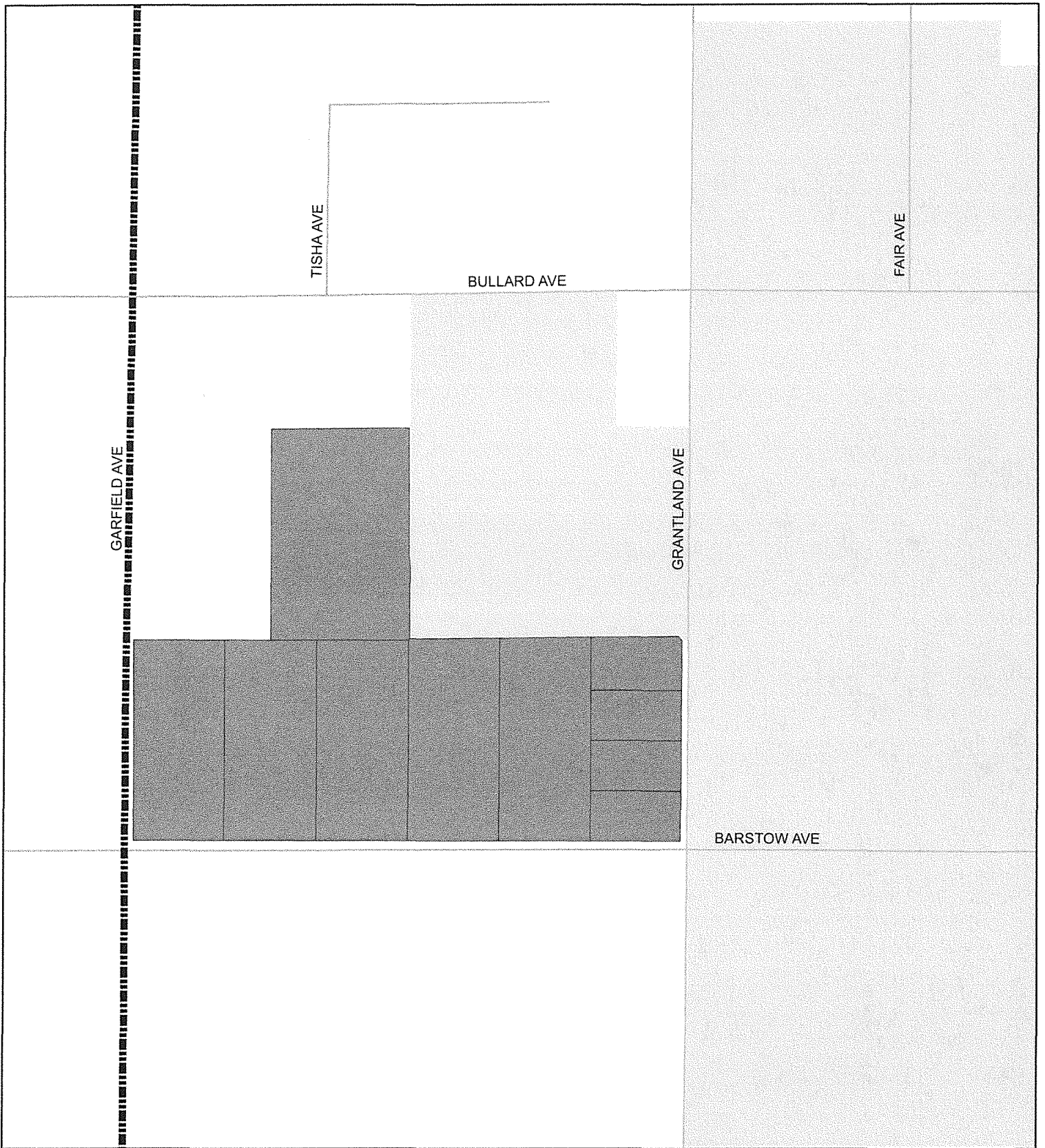





FIGURE 2 - ANNEXATION MAP



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23

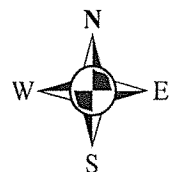
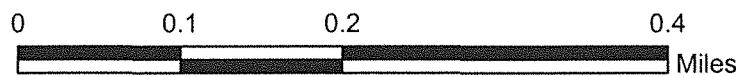
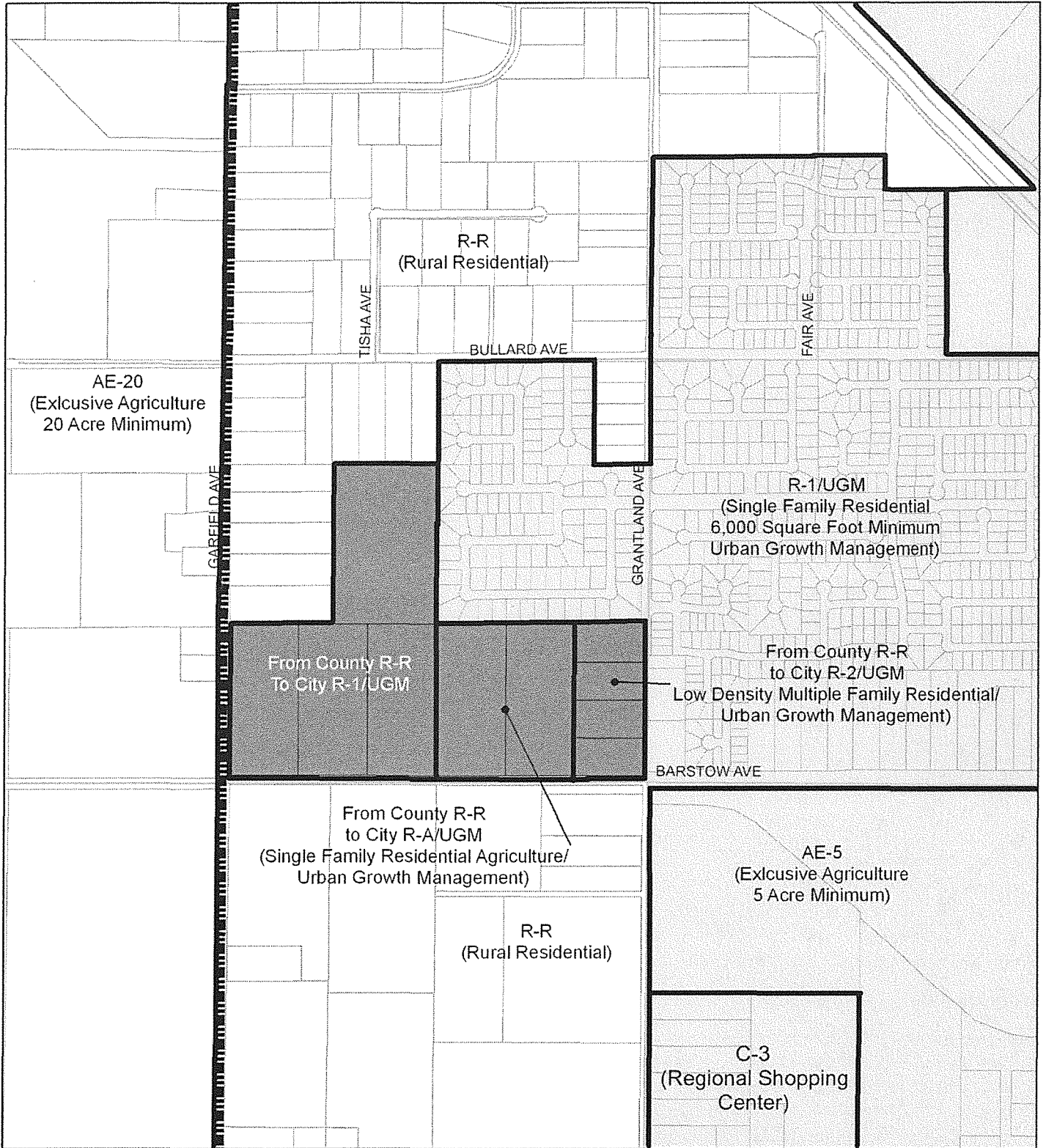





FIGURE 3 - CURRENT ZONING AND PRE-ZONING



Legend

-  Sphere of Influence
-  Affected Territory
-  Fresno City Limits

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23

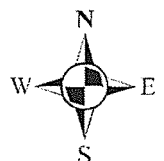
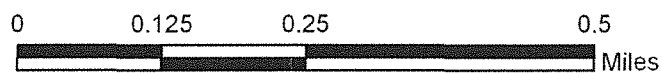
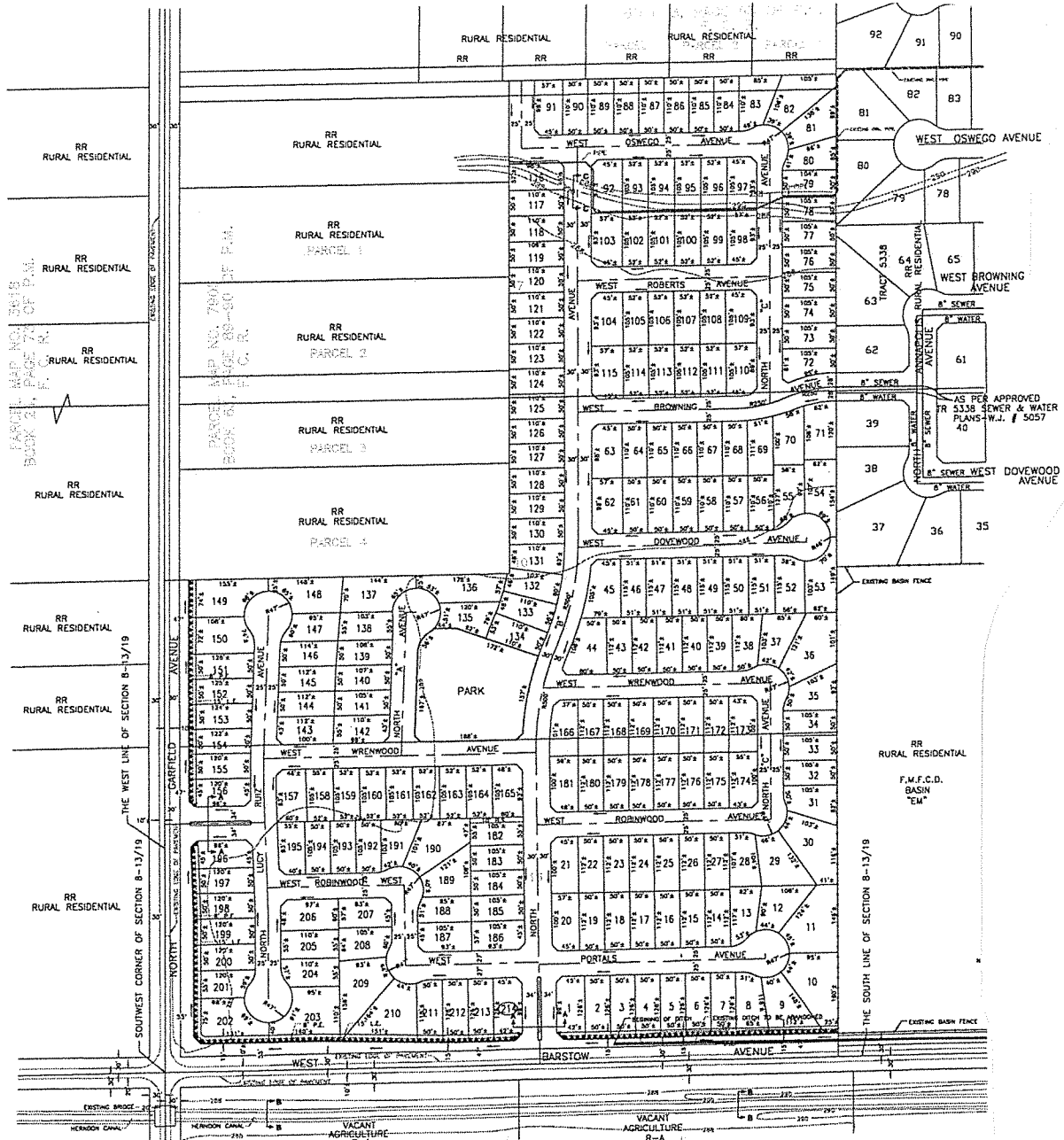


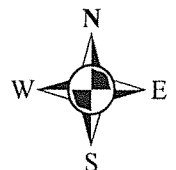
FIGURE 4 TENTATIVE TRACT MAP NO. 5597

Assessor's Parcel Numbers:
 505-040-13, 505-040-21
 505-040-70, and 505-040-71

Site Area: 44.09 Acres
 Subdivider: Granville Homes Inc.



City of Fresno "Barstow-Garfield
 No. 1 Reorganization"
 LAFCo File No. RO-07-23



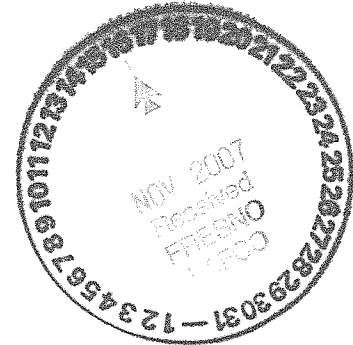


County of Fresno

ADMINISTRATIVE OFFICE
BART BOHN
COUNTY ADMINISTRATIVE OFFICER

November 8, 2007

Rick Ballantyne, Executive Officer
Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721-3601



Rick
Dear Mr. Ballantyne:

Subject: Barstow-Garfield No. 1 Reorganization, (City of Fresno Tract No. 5597 via Landowner Petition – Jeffrey T. Roberts, Vice President, Granville Homes, Inc., Chief Petitioner)

In accordance with Article II, Section 2.2 of the Amended and Restated Memorandum of Understanding (MOU) between the City of Fresno and the County of Fresno, we have reviewed the annexation proposal described in your letter received October 25, 2007.

We have determined that the proposed annexation by the City of Fresno is consistent with the Standards for Annexation contained in Exhibit I of the Amended and Restated Memorandum of Understanding (MOU).

It is recommended that the full width of rights-of-way for Garfield, Barstow and Grantland Avenues be included in this annexation.

If you have any questions, you may contact me at (559) 488-1710 or Bernard Jimenez at (559) 262-4497.

Very truly yours,

Bart Bohn
County Administrative Officer

G:\4360Devs&Pln\PLANNING\ANNEXATIONS\Cities & Districts\Fresno\2007\Barstow-Garfield No 1\Consistency Letter.doc

c: Alan Weaver, Director, Department of Public Works and Planning
Lynn Gorman, Deputy Director of Planning
Bernard Jimenez, Manager
Chris Motta, Senior Planner
Charlotte Tilkes, Principal Administrative Analyst

LOCATION MAP



BULLARD

CHATEAU FRESNO

GARFIELD

GRANTLAND

BARSTOW-GARFIELD No. 1 REORGANIZATION

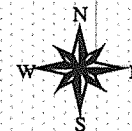
BARSTOW

BARSTOW - GRANTLAND No. 3 ANNEXATION / REORGANIZATION

CITY OF FRESNO

CITY OF FRESNO- SPHERE OF INFLUENCE

SHAW



0 500 1000 1500 2000 2500 Feet



Fresno Local Agency Formation Commission



DATE: November 19, 2007
TO: Elections Division, Stop #28
FROM: Darrel Schmidt, Deputy Executive Officer *DS*
PROPOSAL: "Barstow-Garfield No. 1 Reorganization", File No. RO-07-23

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting the following information indicated by an "X":

- A. _____ Please furnish a list of all registered voters along with their address as shown upon the most recent assessment roll being prepared by the County within 300 feet of the exterior boundary of the property.
- B. X Number of registered voters in the area. 8
- C. _____ Number of valid registered voter signatures _____
- D. _____ What percent of the registered voters in the proposal area does the attached petition represent? _____
- E. X Will the proposal adversely affect precinct boundaries or the conduct of elections? No
- F. _____ Other comments:

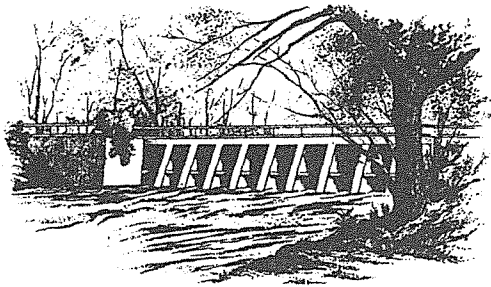
In order to proceed with the processing of this application, your comments need to be returned to this office by December 5, 2007. Your assistance is greatly appreciated. Thank you.

DS:cf

Attachments: Map and legal description

Betty Vaughn, SPA III
Signature and Title

Nov. 21, 2007
Date



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2218



December 14, 2007

Mr. Rick Ballantyne
Executive Officer
2115 Kern Street, Suite 310
Fresno, CA 93721

RE: Barstow – Garfield No. 1 Reorganization No. RO-07-23 N of Barstow between Garfield & Grantland Avenues (Private Canal Austin No.529)

Dear Mr. Ballantyne:

FID's comments and requests are as follows:

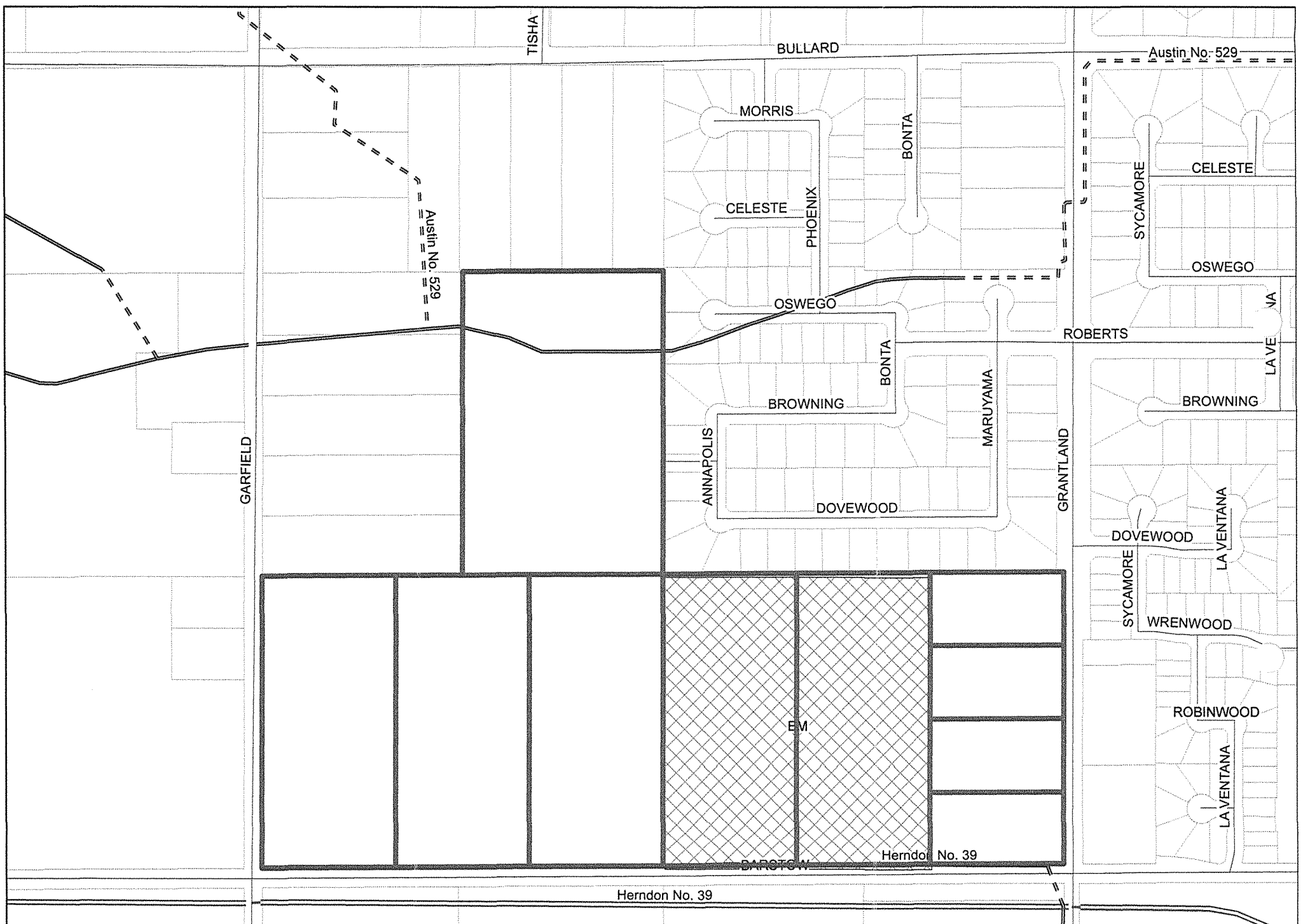
1. FID does not own, operate or maintain any facilities located on the applicant's property.
2. FID expects no adverse impacts from the approval of the subject proposal.
3. For informational purposes, a private Canal known as the Austin No. 529 traverses through the subject property as shown on the enclosed map.

Thank you for submitting this for our review. Please feel free to contact me with any questions or concerns at 233-7161 extension 321 or sbloem@fresnoirrigation.com.

Sincerely,

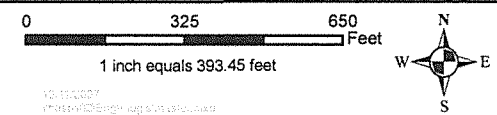
Steve Bloem
Engineering Technician

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Legend

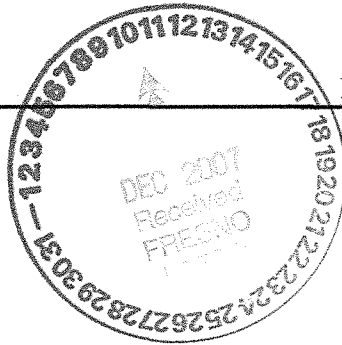




County of Fresno

Department of Community Health

Edward L. Moreno, M.D., M.P.H., Director-Health Officer



December 6, 2007

999999999
LU0014461
PE 2620

Mr. Darrel Schmidt
Local Agency Formation Commission
2115 Kern St., Suite 310
Fresno, CA 93721

Dear Mr. Schmidt:

PROJECT NO: RO-07-23
SUBJECT: Barstow-Garfield No. 1 Reorganization

1. Adequacy and availability of existing and proposed community water and sewer systems:
2. Need for services other than those proposed:
3. Effect of project on air or water quality:
4. Related County plans or projects:
5. Other comments:
 - Drinking water which meets state quality standards for public water systems is a precious commodity which must be protected. Existing standards for water well construction and destruction are designed to protect groundwater quality, thereby protecting the public health. The expense associated with proper destruction of a well is infinitesimally small in comparison to the expense of cleaning up contaminated groundwater.

The Fresno County Department of Community Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Darrel Schmidt
RO-07-23
December 6, 2007
Page 2 of 2

Prior to destruction of any existing agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

The Department of Community Health is available to provide consultation in cooperation with the City of Fresno in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Ed Yamamoto, Water Surveillance Program, at (559) 445-3357 for more information.

- This Department recommends that any existing rural residential parcel(s) be required to connect to the City of Fresno community sewer system in the event of a failure of the existing sewage system(s), and that no building permits be issued for repair of such a system whether or not the mandatory three (3) year connection requirement has expired.

If I can be of more assistance, please contact me at (559) 445-3357.

Sincerely,

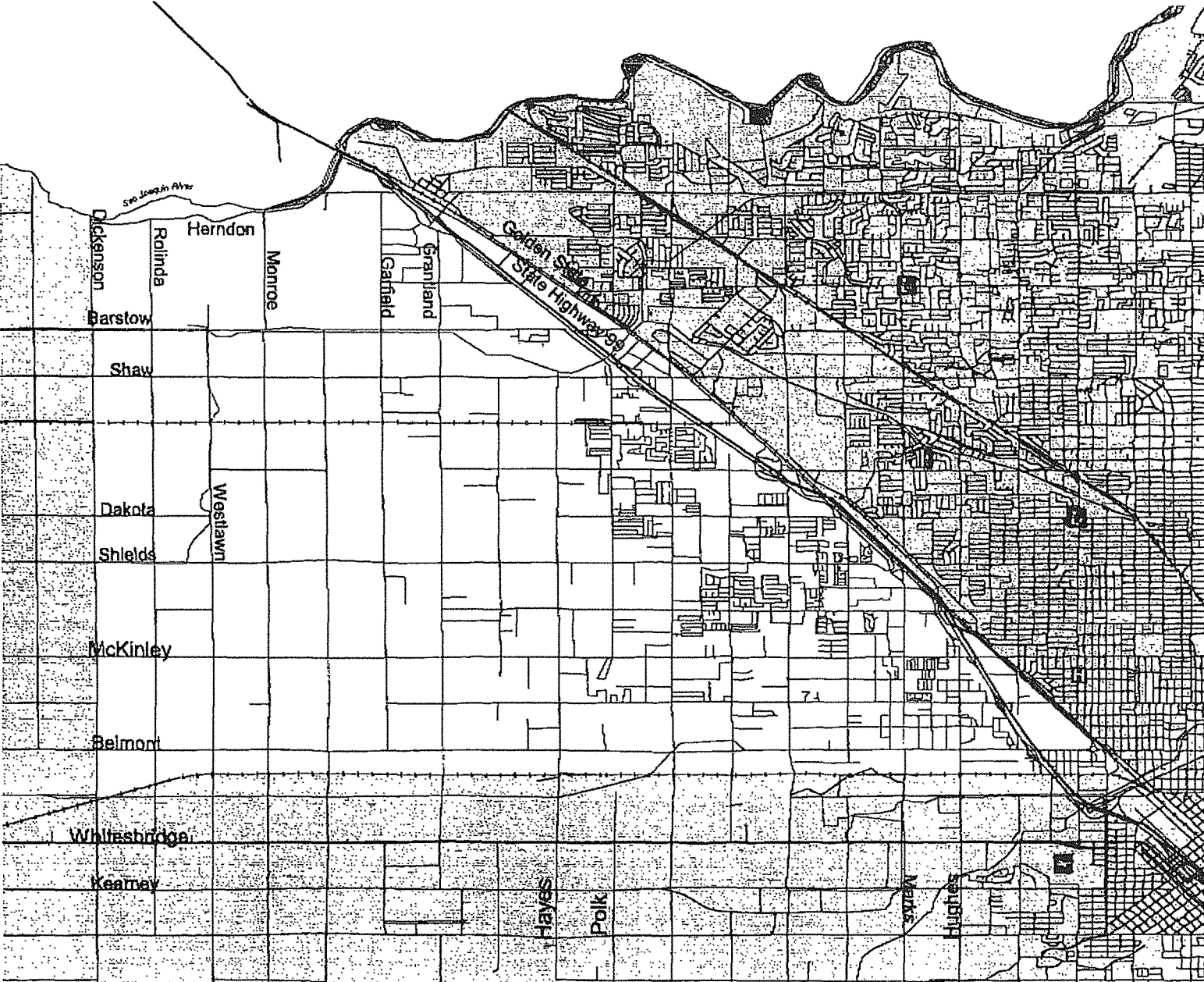


Glenn Allen, R.E.H.S.
Environmental Health Specialist III
Environmental Health Division

ga

cc Ed Yamamoto, Environmental Health Division

RO-07-23 Barstow-Garfield No. 1 Reorganization



NEW BRANCH

Fresno County Public Library



- StreetMap USA
- Airport
 - Hospital
 - Highway
 - Primary road
 - Water body
 - Central Library
 - Branch Libraries
 - 060191kh.shp (hydrology)
 - 060191kb.shp (railroad)
 - 060191ka.shp (roads)
 - New_branch
 - 060191k00.shp (tracts and blocks)



INTER OFFICE MEMO

County Free Library

Sent via FAX – 559 495-0655



DATE: November 30, 2007

TO: Rick Ballantyne, Executive Officer
RB

FROM: Karen Bosch Cobb, Secretary, Historic Landmarks & Records
Advisory Commission

SUBJECT: **Barstow-Garfield No. 1 Reorganization**

The property in question (NE ¼ of Section 8, Township 13 South, Range 19 East, MDB&M) has been used for smaller-scale farming operations for approximately the last century. It does not contain any known archaeological sites, but should be given a cursory cultural inspection to see if any structures, appurtenances, or artifacts significant to the history of local agriculture remain.



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File No. 170.44

November 28, 2007

Mr. Darrel Schmidt, Deputy Executive Officer
Local Agency Formation Commission of Fresno County
2100 Tulare Street, Suite 502
Fresno, CA 93721



Dear Mr. Schmidt,

**Barstow-Garfield No. 1 Reorganization, RO-07-23
Annexation of 70 acres to the City of Fresno
Drainage Area "EM"**

The proposed annexation boundary encompasses lands within the Fresno Metropolitan Flood Control District and will be served by the District's Storm Drainage and Flood Control Master Plan. Drainage service by the Master Plan does not exist for the annexation at this time.

It is our understanding there will be no change in the District's share of the property tax base, nor future property tax increments for the impacted Tax Rate areas.

The District further request its historic growth increment tax applied to this area.

If you have any questions or require further information, please do not hesitate to contact us.

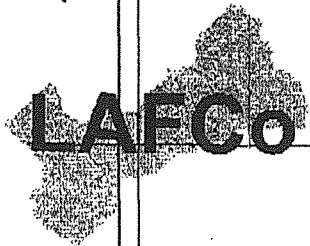
Sincerely,

Doug McCauley
Project Manager

DM/lrl

c: Bob Van Wyk, Fresno Metropolitan Flood Control District

dm\2007\letters\lafco-barstow-garfield no 1-reorg-ro-07-23(em) ltr



Fresno Local Agency Formation Commission



DATE: November 19, 2007

TO: Kenneth Price, Baker, Manock & Jensen
Historical Landmarks and Records Commission (HLRC)
Fresno County Library
Fresno Irrigation District
Fresno Metropolitan Flood Control District
Fresno Mosquito Abatement District
West Fresno County Red Scale Protective District
Marc Birnbaum, Chief, Office of Transportation Planning

FROM: Darrel Schmidt, Deputy Executive Officer *DS*

PROPOSAL: "Barstow-Garfield No. 1 Reorganization", File No. RO-07-23

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) Office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested.

Please return any comments you have regarding this proposed reorganization by December 5, 2007. Thank you.

Joanne Striebich
Associate Trans. Planner *12/3/07*

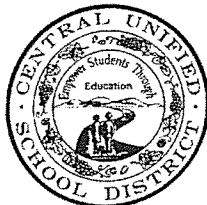
Signature and Title Date

DS: cf *No Comment*

Attachments: Application, Map, Legal Description, Service Plan, and Resolution

RECEIVED
NOV 27 2007

DEPT OF TRANSPORTATION DIST 6
ATTENTION: *SBE*



CENTRAL UNIFIED SCHOOL DISTRICT

OPERATIONAL SERVICES

4605 North Polk Avenue • Fresno California 93722
Phone: (559) 274-4700 ext. 105 • FAX: (559) 276-5515

Bert Contreras, Director - Operational Services

Facilities Project Manager
Eddie Davidson, Work Control Manager
David Deel, Facilities Planning Manager
Diane Komoto, Transportation Director

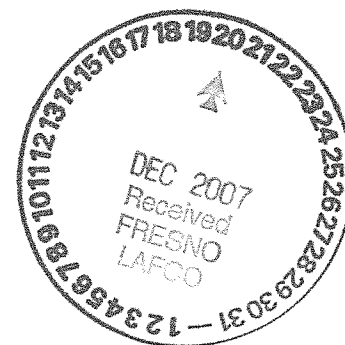
December 18, 2007

LAFCO-County of Fresno
2115 Kern Street, Suite 310
Fresno, CA 93721

Subject: Barstow-Garfield #1, RO-07-23

The District has the following comments:

1. The current schools of attendance for the project area:
Elementary: Harvest Elementary School
Middle: Rio Vista Middle School
High: Central High School West or East Campus. The west campus is mandatory attendance for 9th grade with optional programs for grades 10th -12th.
2. Above schools at or near capacity:
Rio Vista Middle School is at capacity.
3. Will proposal create over crowding: **Yes, due to approved Tract Map 5597 as indicated and any other residential development of the property.**
4. Is there an arrangement by the District to provide facilities that would affect overcrowding:
The District plans to open a new Middle School on the north east corner of Grantland and Ashlan Avenues within the next 2 years which will alleviate any over crowding.
5. Any District building plans that would be affected by proposal: **None.**
6. Other comments: **The District supports this annexation proposal.**



Should you have questions or need additional information, please contact me at 559-274-4700x102 or ddeel@centralusd.k12.ca.us.

Sincerely,

David Deel
Facilities Planning Manager

cc: Bert Contreras

District Administration

Marilou Ryder, Ed.D. Superintendent • Laurel Ashlock, Ed.D. Chief Academic Officer • Mike Berg, Chief Business Officer
Chris Williams, Assistant Superintendent, Human Resources • Chad Wood, Administrator, Information Technology Services
4605 N. Polk Avenue • Fresno, CA 93722 • Ph. (559) 274-4700 • Fax (559) 271-8200



INTER OFFICE MEMO

County Free Library

DATE: November 20, 2007

TO: Rick Ballantyne, Executive Officer

FROM: Karen Bosch Cobb, County Librarian

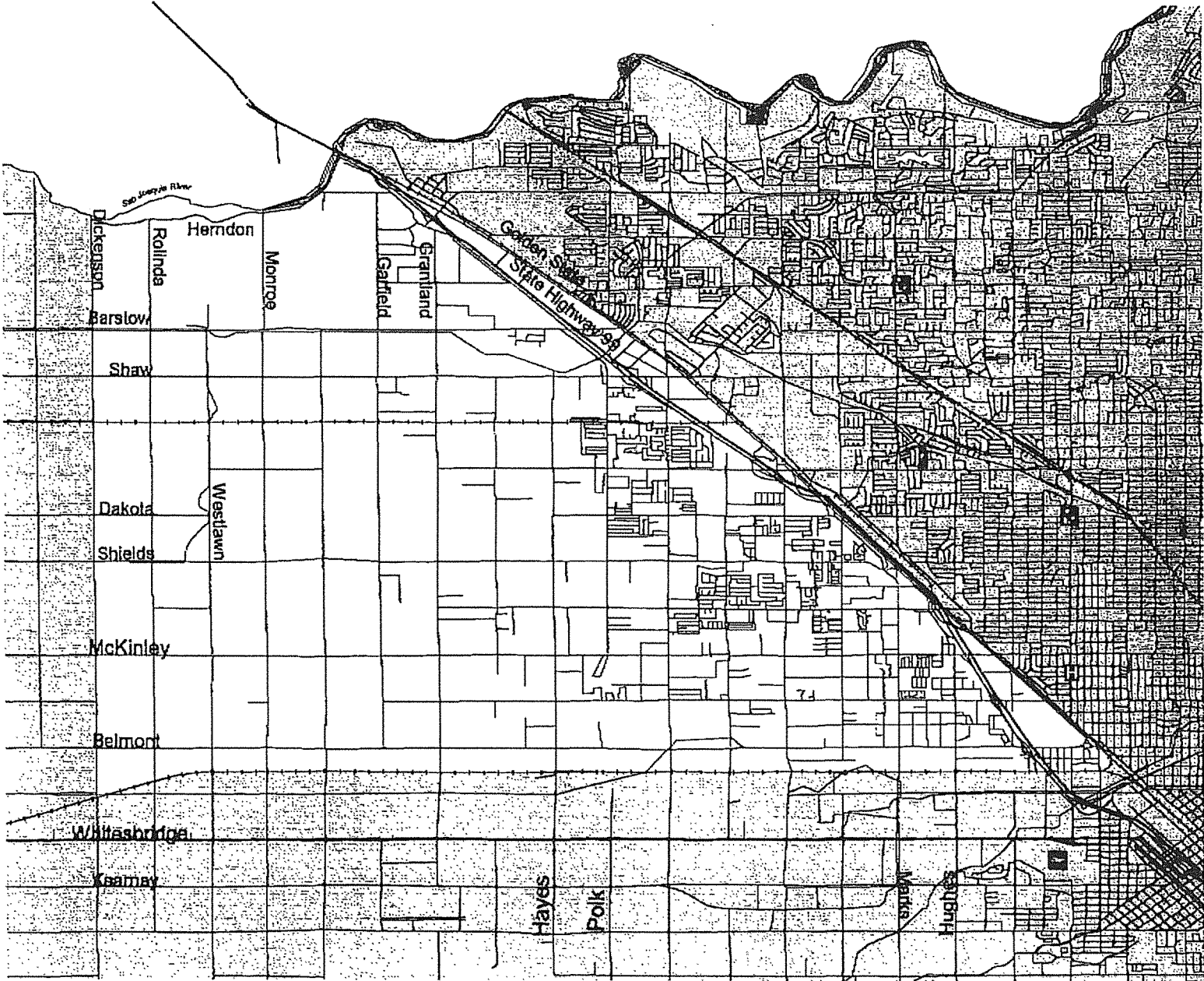
SUBJECT: **Barstow-Garfield No. 1 Reorganization**



This proposal is to annex approximately 2.5 acres to the City of Fresno and detach the same acreage from the North Central Fire Protection District and Kings River Conservation District. The applicant proposes to develop a 4-lot single-family residential subdivision on the site. The library presently provides library service to residents in this area from a 10,000 square foot building located at Marks and Bullard. In February 2003, the Board of Supervisors adopted *"The Heart of a Community Its Public Library: Meeting Library Needs for Fresno County Residents: 2002-2020. This study demonstrates that there should be a new library to serve the area west of Highway 99. Please see the attached map. The library proposes to build a new 20,000 + foot building to serve 60,000 to 75,000 residents. The development of these homes will hasten the need for a new library.*

Should this project result in a higher projected population, an even larger facility would be needed. Funds have not been set aside for the development of the new library at this time.

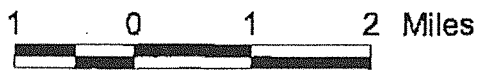
Attachment



- StreetMap USA
- Airport
 - Hospital
 - Highway
 - Primary road
 - Water body
 - Central Library
 - Branch Libraries
 - 080194kh.shp (hydrology)
 - 080194kb.shp (railroad)
 - 080194ka.shp (roads)
 - New_branch
 - 080194k00.shp (tracts and blocks)

NEW BRANCH

Fresno County Public Library



City of Fresno
“Municipal Service Plan”
Barstow – Garfield No. 1

A. Introduction

The applicant, Granville Homes, Inc., has filed a petition to annex 69.5 acres of property located at the northeast corner of N. Garfield and W. Barstow Avenues. The subject property, which is partially owned by the applicant is within the City of Fresno Sphere of Influence, has all been “prezoned” by the Fresno City Council. The subject property has several different owners and the land is zoned for multiple family residential (R-2), single family residential (R-1) and for a flood control ponding basin purposes (R-A).

As with every annexation, the provision for public services is a necessity and this Municipal Service Plan is required by the Fresno County Local Agency Formation Commission to insure that services will be provided.

B. Services existing or proposed to be extended to the Barstow – Garfield No. 1 Reorganization Area.

a. **Water Service:**

City of Fresno Water Service lies in Grantland Ave. adjacent to a portion of the area proposed for annexation. To service the entire 69.5 acres, an additional water line will need to be extended westerly in the Barstow Ave. alignment to Garfield Avenue.

b. **Sewer Service:**

A major City of Fresno trunk line exists in the Grantland Ave. alignment, adjacent to a portion of the subject property. Due to the size of the line, connections may only occur at prescribed locations. The intersection of Barstow and Grantland is the location where the connection will be made to serve all of the subject property. Lateral lines in Barstow and possibly other locations will be needed, depending on development timing and character of the City. As with water, the City of Fresno will provide the sewer service to subject site.

c. **Police Service**

Upon annexation to the City of Fresno, the City will provide Police Services to the new area. The nearest substation is located at 3781 N. Hughes Ave., approximately 6 miles from the subject property.

d. Fire Protection

The 69.5 acres, upon annexation will be served by the Fresno City Fire Dept. The nearest station is located on the South side of W. Bullard, between N Grantland and N. Bryan, approximately ½ mile from the subject site.

e. School facilities

The subject property lies within the Central Unified School District and the annexation of the site does not alter the existing District or school service areas in any way. The decision on school service areas is entirely up to the School District and can change for a variety of reasons.

f. Flood Protection

The Fresno Metropolitan Area Flood Control District does and will provide service to the site. The subject 69.5 acre site includes the Fresno Metropolitan Flood Control District Basin "EM". The basin site is not only part of this annexation request; it will provide a portion of the permanent service to the 69.5 acre site. A portion of the westerly segment of the property will drain to another basin to the north. The developer(s) of the site will be required to pay applicable flood control fees.

g. Solid Waste Disposal

The City of Fresno will provide solid waste service to the subject site upon annexation. The City provides general waste, green waste, and recycling services. Billing for services is on a bimonthly schedule.

h. Parks & Recreation

The subject site, upon annexation, will be served by the City of Fresno Parks & Recreation Department. In addition, there is a small park planned in Tract 5597, which is part of this annexation area. The subject site is 5 +/- miles from Roeding Park, a major City Regional Park facility.

i. Transit Services

The City of Fresno Transit Department will provide all bus service to the General Area of the annexation. The "Fresno Area Express" staff will determine ridership needs for the area based on density, etc. and then allocate resources and vehicles to meet the anticipated need.

j. Ambulance Service

The American Ambulance Company is employed by the City and County to provide Ambulance Service to the area. Several hospitals are within 10 -15 minutes of the area proposed for annexation area.

k. Extension of City Services

All City services are planned to be extended to the area as development occurs and makes it economically feasible.

l. Upgrading of Public Facilities and Improvements

A primary reason for annexation of this property is that the project applicant desires to develop their site and be in the City of Fresno. All of the land in the application is adjacent to the existing City boundaries. The proposed projects will provide for necessary street dedication and improvements.

FINANCING OF SERVICES AND FACILITIES

1. Property tax.
2. Fees: Development Impact fees are enforced for parks, sewers, traffic signalization, storm drainage, city facilities, user fees, and fees for business licenses are collected.
3. Sales tax.
4. State funds, i.e. gas tax and motor vehicle in lieu tax.
5. Federal funds, i.e. gas tax and motor vehicle in lieu tax
6. Bonds and/or assessment districts as needed.

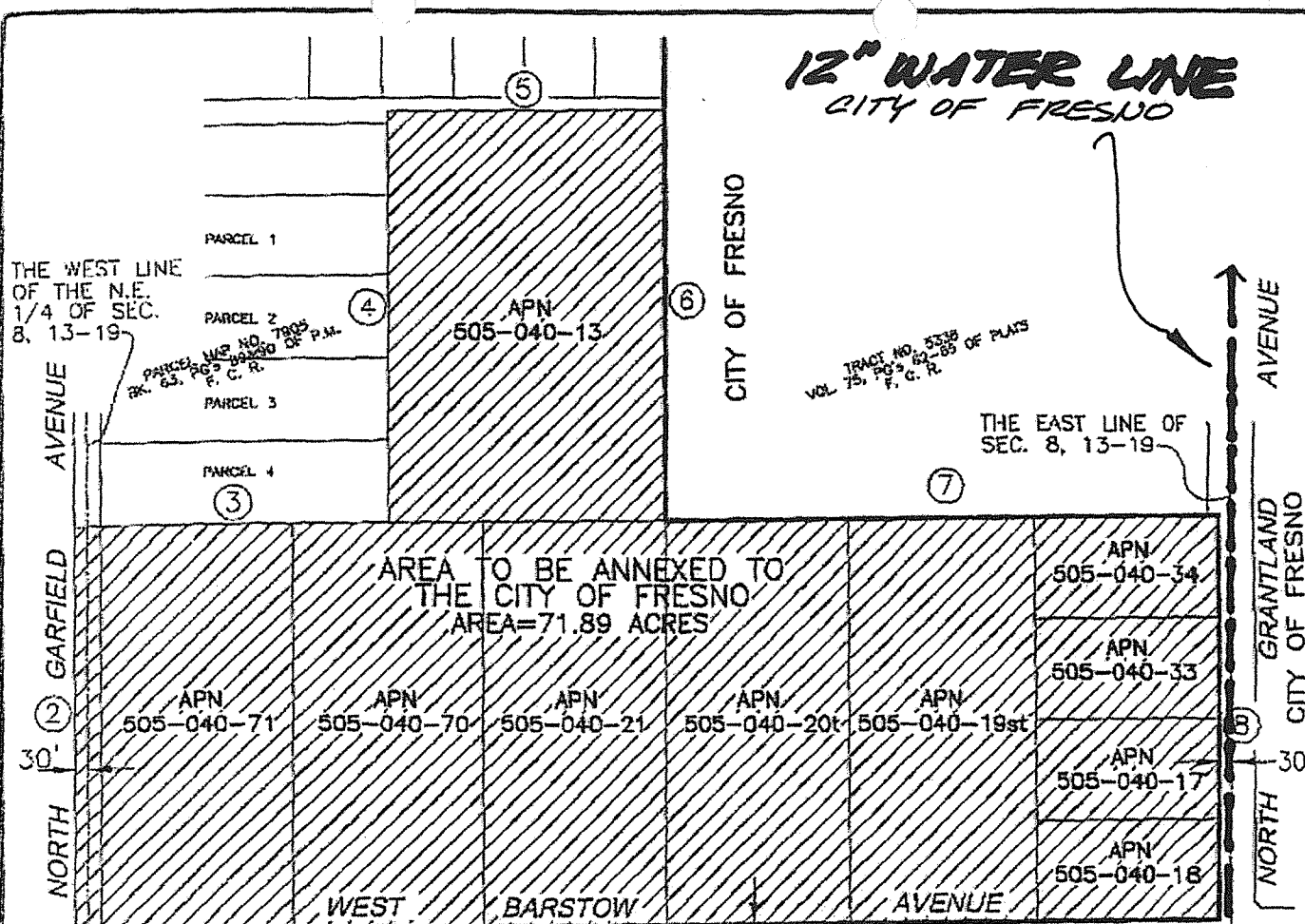
COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Copper River ranch has completed and processed an Environmental Impact Report and is in compliance with California Environmental Quality Act as amended. The findings were posted as required by CEQA and were circulated to affected agencies.

Attached Maps (8.5 x 11)

1. Area of Reorganization
2. Zoning
3. Sewer Service
4. Water Service
5. Land Use
6. Tentative Tract No. 5597
7. Sphere of Influence & City Limits

12" WATER LINE
CITY OF FRESNO



THE WEST LINE OF THE N.E. 1/4 OF SEC. 8, 13-19

THE EAST LINE OF SEC. 8, 13-19

NO EXISTING WATER SERVICE IN BARSTOW AVE.
CITY OF FRESNO

POINT OF BEGINNING
THE CENTER 1/4 CORNER OF SEC. 8, 13-19

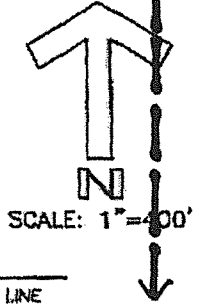
THE SOUTH LINE OF THE N.W. 1/4 OF SEC. 8, 13-19

COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
4. N 00°00'22" W - 974.00'
5. N 89°28'46" E - 647.27'
6. S 00°00'12" E - 974.00'
7. N 89°28'58" E - 1294.48'
8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

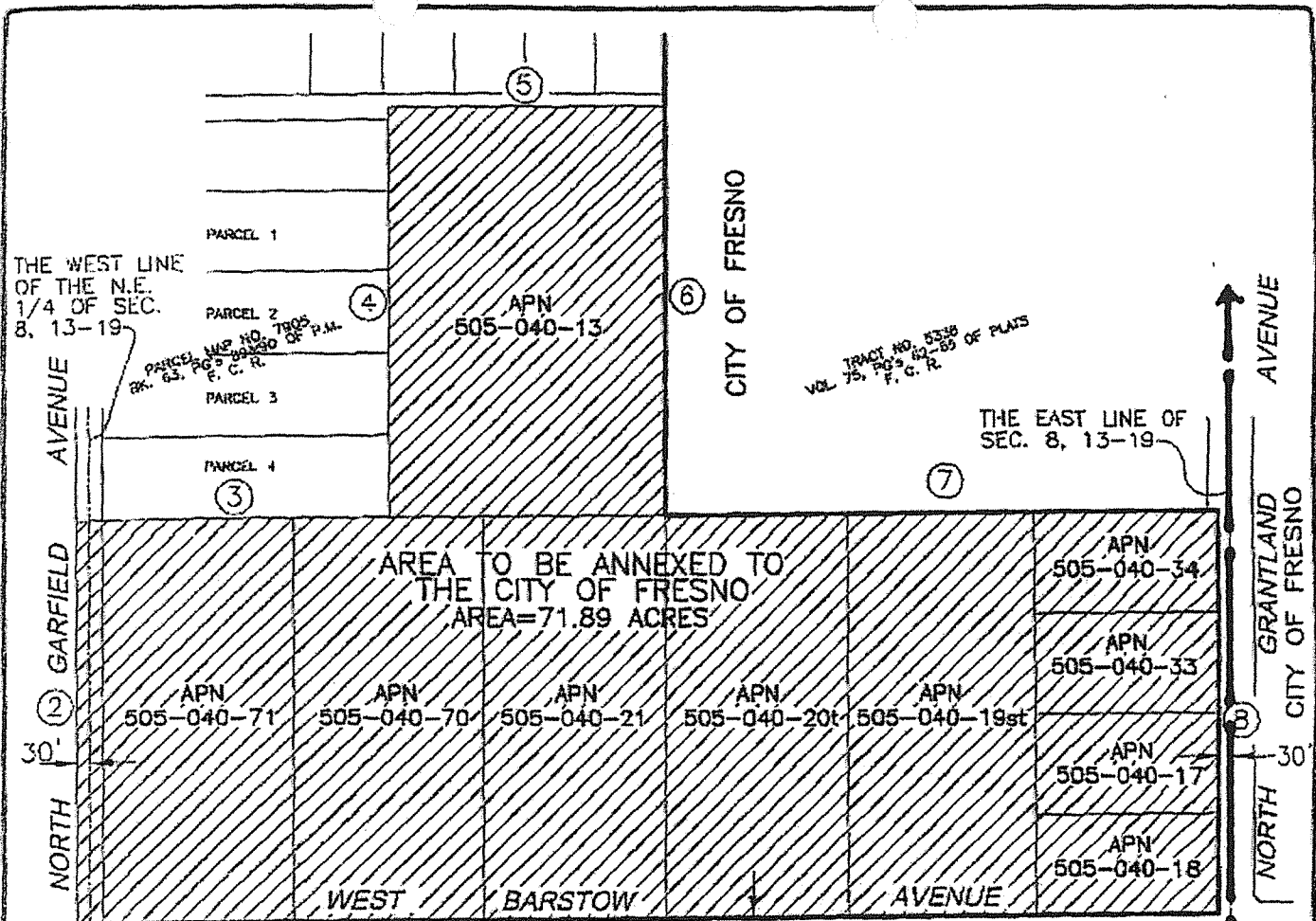
LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRESNO
- INDICATES AREA TO BE ANNEXED TO THE CITY OF FRESNO



AREA TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED BY: GARY G. GIANNETTA 1119 S STREET FRESNO, CA 95721 559.264.3590	BARSTOW-GARFIELD NO. 1 REORGANIZATION WATER SERVICE MAP	PREPARED: 10/15/07
----------------------------------------------------------------------------------------	------------------------------------------------------------------------	-----------------------



NO EXISTING SEWER SERVICE IN BARSTOW AVE

POINT OF BEGINNING
THE CENTER 1/4 CORNER
OF SEC. 8, 13-19

THE SOUTH LINE OF THE N.W. 1/4 OF SEC. 8, 13-19

COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
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8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

GRANTLAND TRUNK LINE

LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRSNO
- INDICATES AREA TO BE ANNEXED TO THE CITY OF FRSNO

AREA TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

SCALE: 1"=400'

PREPARED BY:
GARY G. GIANNETTA
1119 "S" STREET
FRESNO, CA 93721
559.264.3590

BARSTOW-GARFIELD NO. 1
REORGANIZATION
SEWER SERVICE MAP

PREPARED:
10/15/07

NOTICE OF DETERMINATION

E200710000529

DATE RECEIVED FOR FILING:

FILED

SEP 25 2007

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, California 95814

FROM: CITY OF FRESNO
Planning and Development Dept
2600 Fresno Street
Fresno, California 93721-3604

County Clerk
County of Fresno
2221 Kern Street
Fresno, California 93721

By: *Stacey Warwick*
FRESNO COUNTY CLERK
DEPUTY

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

Rezone Application No. R-05-94 and Vesting Tentative Tract Map No. 5597/UGM

Project Title

Planning and Development Department
City of Fresno
David Braun, Planner

(559) 621-8038

N/A

State Clearinghouse Number
(If subject to Clearinghouse)

Lead Agency
Contact Person

Area Code/Telephone/Extension

Approximately 69.5 acres of property located on the north side of West Barstow Avenue between North Garfield and North Grantland Avenues, Fresno City and County.

Project Location (include County)

Project Description: Rezone Application No. R-05-94 is a request to reclassify approximately 69.5 acres of property from the R-R (County) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management), R-A/UGM (Single Family Residential-Agricultural/Urban Growth Management) and the R-2/UGM (Low Density Multiple Family Residential/Urban Growth Management) zone districts. Vesting Tentative Tract Map No. 5597/UGM is proposing to subdivide 41.5 acres of the subject property into a 214-lot single family residential subdivision. The property is located on the north side of West Barstow Avenue between North Garfield and North Grantland Avenues.

This is to advise that the City of Fresno, the Lead Agency, has approved the above-described project on September 18, 2007, and has made the following determinations regarding the above-described project:

1. The project (will will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 A determination of project conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) was made.
3. Mitigation measures (were were not) made a condition of the approval of the project as related to MEIR No. 10130.
4. A statement of Overriding Considerations (was was not) adopted for this project.
5. Findings (were were not) made pursuant to the provisions of CEQA.

This is to certify that the above-described Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 with comments and responses and record of project approval is available to the general public at the City of Fresno, Planning and Development Department, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604.

Gilbert J. Haro
Gilbert J. Haro
Planning Manager, City of Fresno

Date

09.21.07

Attachments: Project Vicinity Map
City of Fresno Environmental Assessment No. R-05-94/T-5597/C-05-239

ENVIRONMENTAL ASSESSMENT (EA) CHECKLIST
POTENTIAL ENVIRONMENTAL EFFECTS
EA No. R-05-94/T-5597/C-05-239

- 1 **1.0 TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS**
- 1 1.1 Geologic hazards, unstable soil conditions
- 1 1.2 Adverse change in topography or ground surface relief
- 1 1.3 Destruction of unique geologic or physical features
- 1 1.4 Increased water erosion
- 1 **2.0 AIR QUALITY**
- 1 2.1 Substantial indirect source of pollution
- 1 2.2 Direct on-site pollution generation
- 1 2.3 Generation of objectionable odors
- 1 2.4 Generation of dust except during construction
- 1 2.5 Adverse local climatic changes
- 1 **3.0 WATER**
- 1 3.1 Insufficient ground water available for long-term project use
- 1 3.2 Use of large quantities of ground water
- 1 3.3 Wasteful use of ground water
- 1 3.4 Pollution of surface or groundwater
- 1 3.5 Reduction in ground water
- 1 **4.0 PLANT LIFE**
- 1 4.1 Reduction of the numbers of endangered species
- 1 4.2 Reduction in acreage of agricultural land
- 1 4.3 Premature or unnecessary conversion of agricultural land
- 1 **5.0 ANIMAL LIFE**
- 1 5.1 Reduction in the numbers of endangered species
- 1 5.2 Deterioration or displacement
- 1 **6.0 HUMAN HEALTH**
- 1 **7.0 NOISE**
- 1 7.1 Increases in existing noise levels
- 1 7.2 Exposure to high noise levels
- 1 **8.0 LIGHT AND GLARE**
- 1 8.1 Production of glare which will adversely affect residential areas
- 1 8.2 Exposure of residences to high levels of glare
- 1 **9.0 LAND USE**
- 1 9.1 Incompatibility with adopted plans and policies
- 1 9.2 Acceleration of growth rate
- 1 9.3 Induces unplanned growth
- 1 9.4 Adverse change in existing or planned area characteristics
- 1 **10.0 TRANSPORTATION AND CIRCULATION**
- 1 10.1 Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system
- 1 10.2 Cumulative increase in traffic on a major street for which capacity deficiencies are projected
- 1 10.3 Specific traffic hazard to motorists, bicyclists, pedestrians
- 1 10.4 Routing of non-residential traffic through residential area
- 1 10.5 Insufficient or poorly located parking
- 1 10.6 Substantial increase in rail and/or air traffic

Environment

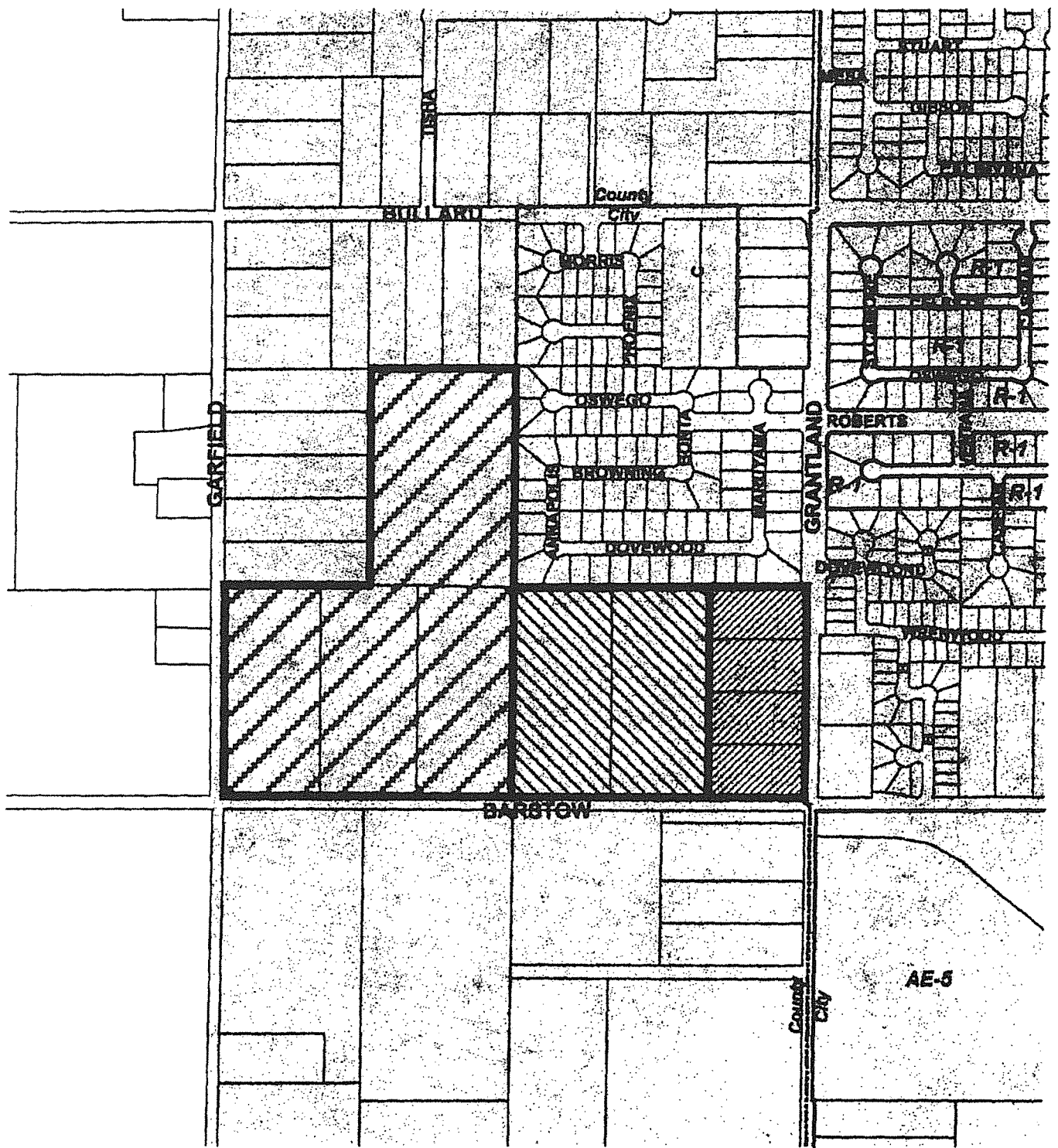
- 1 **11.0 URBAN SERVICES**
- 1 11.1 Availability of fire protection
- 1 11.2 Lack of emergency vehicle access
- 1 11.3 Adequacy of design for crime prevention
- 1 11.4 Overcrowding of school facilities
- 1 11.5 Availability of water mains of adequate size
- 1 11.6 Availability of sewer lines of adequate capacity
- 1 11.7 Availability of storm water drainage facilities (on or off site)
- 1 11.8 Availability of adequate park and recreation areas
- 1 11.9 Unusually high solid waste generation
- 1 **12.0 HAZARDS**
- 1 12.1 Risk of explosion or release of hazardous substances
- 1 12.2 Site subject to flooding
- 1 12.3 Adverse change in course of flow of flood waters
- 1 12.4 Potential hazards from aircraft accidents
- 1 12.5 Potential hazards from landfill and/or toxic waste sites

13.0 AESTHETICS
 13.1 Interference with public or scenic vista or view
 13.2 Creation of aesthetically offensive conditions
 13.3 Removal of street trees or other valuable vegetation
 13.4 Visual incompatibility with surrounding area


14.0 HISTORICAL / ARCHAEOLOGICAL
 14.1 Destruction of historic building, disruption of archaeological site
 14.2 Vibration or activity incompatible with adjacent site
 14.3 Substantial amounts of energy or fuel
 14.4 Unreasonable increase in demand upon existing sources
 14.5 Excessive use of energy


EXPLANATION OF RATINGS


- "0"** **Insufficient Information**
 Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.
- "1"** **No Significant Environmental Effect**
 The proposed project will not have an adverse environmental effect in this category, or any such effect is not substantially unusual or of undesirable magnitude. This rating is also utilized in cases where the category is not applicable to the particular project under consideration.
- "2"** **Moderate Environmental Effect**
 The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be of specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report, and is mitigable through project changes and conditions.
- "3"** **Significant Adverse Environmental Effect**
 The environmental effect identified in this category substantiates in itself or contributes towards a finding that the proposed project has a potentially significant adverse effect on the environment sufficient to require the preparation of an Environmental Impact Report.




LEGEND

- 

-Subject Property
-Rezone from R-R (County)
to R-1/UGM
-CUP No. C-05-239
-Tract No. 5597/UGM
- 

-Subject Property
-Rezone from R-R (County)
to R-A/UGM
- 

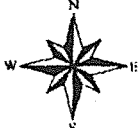
-Subject Property
-Rezone from R-R (County)
to R-2/UGM
- 

UGM Area

VICINITY MAP

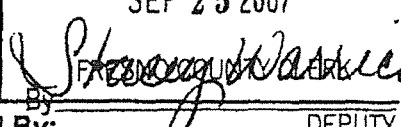
VESTING TENTATIVE MAP OF TRACT NO. 5597/UGM
 REZONE APPLICATION NO. R-05-094
 From R-R (County) to R-A/UGM, R-1/UGM, R-2/UGM
 CONDITIONAL USE PERMIT NO. C-05-239
 Northwest corner of Barstow and Grantland Aves.

PLANNING & DEVELOPMENT DEPARTMENT


 NOT TO SCALE

505-040-13,17,18,19ST,
 A.P.N.: 20T.21.33.34.70.71
 ZONE MAP: 1843
 BY/DATE: J.S. / 12-7-06

**CITY OF FRESNO - ENVIRONMENTAL ASSESSMENT / INITIAL STUDY
FINDING OF CONFORMITY / MEIR NO. 10130**

Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan		RECEIVED DATE RECEIVED FOR FILING: FILED 2007 NOV 30 PM 5:58 CITY CLERK, FRESNO
Initial study is on file in the Planning and Development Department, City Hall, 2600 Fresno Street, Fresno, California 93721 (559) 621-8277		SEP 25 2007  DEPUTY
Applicant: Granville Homes, Inc. 1396 West Herndon Avenue, Suite 101 Fresno, CA 93711	Initial Study Prepared By: David Braun, Planner III November 27, 2006	
Environmental Assessment Number: Rezone Application No. R-05-94 Vesting Tentative Tract Map No. 5597/UGM Conditional Use Permit Application No. C-05-239	Project Location (including APN): North side of West Barstow Avenue between North Grantland and North Garfield Avenues (APN: 505-040-13, 17, 18, 19, 20, 21, 33, 34, 70, 71)	

Project Description:
 Rezone Application No. R-05-94 proposes to rezone approximately 70.57 (net) acres of property located on the north side of West Barstow Avenue between North Grantland and North Garfield Avenues from the R-R (County) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management), R-A/UGM (Single Family Residential-Agricultural/Urban Growth Management) and R-2/UGM (Low Density Multiple Family Residential/Urban Growth Management) zone districts. Vesting Tentative Tract Map No. 5597/UGM proposes to subdivide approximately 42.5 acres of the subject property into a 227-lot single family residential subdivision to be developed at a density of 5.4 dwelling units per acre. The property is within the jurisdictions of the West Area Community Plan and the 2025 Fresno General Plan. Both plans designate the property for medium low density residential (2.19 to 4.98 units per acre), medium high density residential (10.38 to 18.15 units per acre) and open space-ponding basin planned land uses. The subject site is currently vacant and is predominantly surrounded by rural residential properties.

The project also includes the detachment of the subject property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency

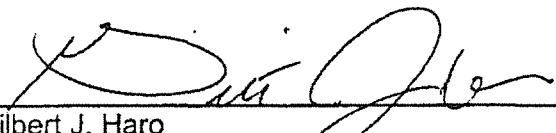
Conformance to Master Environmental Impact Report (MEIR NO. 10130):
 As previously indicated, the recently adopted 2025 Fresno General Plan designates the subject parcel for open space-ponding basin, medium high and medium low density residential planned land uses. The requested R-1/UGM and R-2/UGM zone districts conform to the medium low density and medium high density residential land use designations, respectively, as indicated by the 2025 Fresno General Plan "Planned Land Use and Zone District Consistency Matrix" as well as the adopted West Area Community Plan. The R-1/UGM zone district conforms to the medium high density residential land use designation pursuant to Section 12-403-B-2 of the Fresno Municipal Code. The R-A/UGM zone district is proposed for the portion of the project which is planned for open space-ponding basin land uses.

The Planning and Development Department staff has prepared an initial study and environmental checklist and evaluated the requested rezoning in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master Environmental Impact Report (MEIR) No. 10130. The subject property is proposed to be developed with single-family residential land uses, future multiple family residential land uses and a ponding basin at an intensity and scale that is permitted by the planned land uses and proposed zoning designations for the site. Thus, the rezoning will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted

planned land use designations. Moreover, it is not expected that the existing and future development, per the requested rezoning, will adversely impact existing city service systems or the traffic circulation system that serves the subject parcels. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Section 15178(a).

Per Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, per the 2025 Fresno General Plan land use designations, include impacts associated with the open space, medium high and medium low density residential land use designations specified for the subject parcel. Based on this initial study, the project does not change the land use indicated for the subject parcel and will not generate additional significant effects not previously identified by the MEIR and no new additional mitigation measures are required. Therefore, the project proposal is within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines.

Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177 (d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 shall apply to the project proposal as noted in the **attached mitigation monitoring checklist**. Public notice has been provided regarding staff's finding in a manner prescribed by this section of the Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).



Gilbert J. Haro
Planning Manager, City of Fresno

11.30.06

Date

- Attachments: Environmental Checklist for Environmental Assessment No. R-05-94/C-05-239/T-5597
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment
No. R-05-94/C-05-239/T-5597

E200710000529

**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT / INITIAL STUDY
FINDING OF CONFORMITY / MEIR NO. 10130**

RECEIVED

Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan

DATE RECEIVED FOR FILING:
2006 NOV 30 PM 1:58
CITY CLERK, FRESNO CA

Initial study is on file in the Planning and Development Department, City Hall,
2600 Fresno Street, Fresno, California 93721
(559) 621-8277

Applicant:
Granville Homes, Inc.
1396 West Herndon Avenue, Suite 101
Fresno, CA 93711

Initial Study Prepared By:
David Braun, Planner III
November 27, 2006

Environmental Assessment Number:
Rezone Application No. R-05-94
Vesting Tentative Tract Map No. 5597/UGM
Conditional Use Permit Application No. C-05-239

Project Location (including APN):
North side of West Barstow Avenue between North Grantland and North Garfield Avenues

(APN: 505-040-13, 17, 18, 19, 20, 21, 33, 34, 70, 71)

Project Description:

Rezone Application No. R-05-94 proposes to rezone approximately 70.57 (net) acres of property located on the north side of West Barstow Avenue between North Grantland and North Garfield Avenues from the R-R (County) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management), R-A/UGM (Single Family Residential-Agricultural/Urban Growth Management) and R-2/UGM (Low Density Multiple Family Residential/Urban Growth Management) zone districts. Vesting Tentative Tract Map No. 5597/UGM proposes to subdivide approximately 42.5 acres of the subject property into a 227-lot single family residential subdivision to be developed at a density of 5.4 dwelling units per acre. The property is within the jurisdictions of the West Area Community Plan and the 2025 Fresno General Plan. Both plans designate the property for medium low density residential (2.19 to 4.98 units per acre), medium high density residential (10.38 to 18.15 units per acre) and open space-ponding basin planned land uses. The subject site is currently vacant and is predominantly surrounded by rural residential properties.

The project also includes the detachment of the subject property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency

Conformance to Master Environmental Impact Report (MEIR NO. 10130):

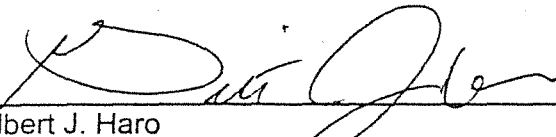
As previously indicated, the recently adopted 2025 Fresno General Plan designates the subject parcel for open space-ponding basin, medium high and medium low density residential planned land uses. The requested R-1/UGM and R-2/UGM zone districts conform to the medium low density and medium high density residential land use designations, respectively, as indicated by the 2025 Fresno General Plan "Planned Land Use and Zone District Consistency Matrix" as well as the adopted West Area Community Plan. The R-1/UGM zone district conforms to the medium high density residential land use designation pursuant to Section 12-403-B-2 of the Fresno Municipal Code. The R-A/UGM zone district is proposed for the portion of the project which is planned for open space-ponding basin land uses.

The Planning and Development Department staff has prepared an initial study and environmental checklist and evaluated the requested rezoning in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master Environmental Impact Report (MEIR) No. 10130. The subject property is proposed to be developed with single-family residential land uses, future multiple family residential land uses and a ponding basin at an intensity and scale that is permitted by the planned land uses and proposed zoning designations for the site. Thus, the rezoning will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted

planned land use designations. Moreover, it is not expected that the existing and future development, per the requested rezoning, will adversely impact existing city service systems or the traffic circulation system that serves the subject parcels. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Section 15178(a).

Per Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, per the 2025 Fresno General Plan land use designations, include impacts associated with the open space, medium high and medium low density residential land use designations specified for the subject parcel. Based on this initial study, the project does not change the land use indicated for the subject parcel and will not generate additional significant effects not previously identified by the MEIR and no new additional mitigation measures are required. Therefore, the project proposal is within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines.

Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177 (d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 shall apply to the project proposal as noted in the **attached mitigation monitoring checklist**. Public notice has been provided regarding staff's finding in a manner prescribed by this section of the Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).


Gilbert J. Haro
Planning Manager, City of Fresno

11.30.06

Date

Attachments: Environmental Checklist for Environmental Assessment No. R-05-94/C-05-239/T-5597
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment
No. R-05-94/C-05-239/T-5597

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130
2025 FRESNO GENERAL PLAN**

**Project/EA No. Rezone Application No. R-05-94, Conditional Use Permit Application No. C-05-239 and Vesting Tentative Tract No. T- 5597
Date: November 27, 2006**

Mitigation Monitoring Checklist

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above noted Project Environmental Assessment as required by City Council Resolution No. 2002-378 and Exhibit "E", thereof, adopted on November 19, 2002, certifying the MEIR for the 2025 Fresno General Plan Update.

NOTE: Letters B-Q in mitigation measures refer to the respective section of Chapter V of MEIR No. 10130

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>B-1. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an Average Daily Traffic (ADT) level of service (LOS) D or better in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/transportation improvements that will contribute to achieving and maintaining LOS D.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>						X
<p>B-2. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS E in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining LOS E.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>						X
<p>B-3. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS F shall not cause further substantial degradation of conditions on those segments before 2025 without completing a traffic and transportation evaluation.</p> <p>This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining a LOS equivalent to that anticipated by the General Plan. Further substantial degradation is defined as an increase in the peak hour vehicle/capacity (v/c) ratio of 0.15 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the General Plan MEIR traffic analysis.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>						X

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130
2025 FRESNO GENERAL PLAN**

Project/EA No. Rezone Application No. R-05-94, Conditional Use Permit Application No. C-05-239 and Vesting Tentative Tract No. T- 5597
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>B-4. For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors:</p> <p>a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services.</p> <p>b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.</p>	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X
<p>B-5. Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.</p>	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X
<p>B-6. New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.</p>	Prior to approval or prior to funding of major street project.	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X
<p>B-7. Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.</p>	Ongoing	Public Works Dept./ Transportation Planning/Planning and Development Dept.			X			

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130
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Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>C-1. In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.</p> <p>a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.</p> <p>b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements.</p> <p>c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations.</p> <p>d. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.</p>	Ongoing	Planning and Development Department						X
<p>C-2. The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as:</p> <p>a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions.</p> <p>b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit.</p> <p>c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible.</p> <p>d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.</p>	Ongoing	Fresno Area Express						X
<p>C-3. The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.</p>	Ongoing	Various city departments	X					
<p>D-1. The City shall monitor impacts of land use changes and development project proposals on metropolitan water supply facilities and the groundwater aquifer.</p>	Ongoing	Dept of Public Utilities and Planning and Development Dept	X					

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130
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Date: November 27, 2006

Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Department of Public Utilities and Planning and Development Department			X		X	
D-3. The City shall implement the Fresno Metropolitan Water Resources Management Plan and update this plan as necessary to ensure the cost-effectiveness use of water resources and continued availability of good-quality groundwater and surface water supplies.	Ongoing	Department of Public Utilities					X	
D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban storm water pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	Ongoing	Planning and Development Department			X		X	
D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods.	Ongoing	Planning and Development Department						X
D-6. The city shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect: a. Construction in this area from being damaged by the intensity of flooding in the riverbottom; and, b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and, c. Public health, safety and general welfare from the effects of flood events.	Ongoing	Planning and Development Department						X
D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).	Ongoing	Planning and Development Department						X
D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area which is periodically updated to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development.	Ongoing	Department of Public Utilities					X	
D-9. If the City is unable to renew its 60,000-acre foot USBR water supply contract due to the city's Charter meter prohibition, replacement water supplies and/or conservation measures of equal benefit shall be secured.	Ongoing	Department of Public Utilities					X	

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Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-10. The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.	Ongoing	Department of Public Utilities					X	
E-1. The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.	Ongoing	Planning and Development Department					X	
E-2. To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.	Ongoing	Planning and Development Department					X	
E-3. The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Planning and Development Department						X
E-4. Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered: a. Including a buffer zone of sufficient width between proposed residences and the agricultural use. b. Restricting the intensity of residential uses adjacent to agricultural lands. c. Informing residents about possible exposure to agricultural chemicals. d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences. e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.	Ongoing	Planning and Development Department						X
F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.	Ongoing	Dept. of Public Utilities and Planning and Development Department						X
F-2. The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.	Ongoing	Dept. of Public Utilities					X	
F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities					X	X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Dept. of Public Utilities	X				X	
F-4. The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded.	Ongoing/prior to approval of land use entitlement application	Dept. of Public Utilities and Planning and Development Department	X					
F-5. The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Dept. of Public Utilities	X					
G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Fire Dept/Police Dept/ Planning and Development Dept.						X
H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.	Ongoing/prior to construction	Parks and Recreation Dept./Planning and Development Dept.						X
I-1. Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species (or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X
I-2. Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall including siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
I-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net less of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-4. Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures: a. Amending construction plans to avoid the resources. b. Setting aside sites containing these resources by deeding them into permanent conservation easements. c. Capping or covering these resources with a protective layer of soil before building on the sites. d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X

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J-2. An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologists' recommendations shall be made to the City on further site investigation or site avoidance/ preservation measures.	Ongoing/prior to submittal of land use entitlement application	Planning and Development Dept.						X
J-3. If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.	Ongoing	Planning and Development Dept./ Historic Preservation Commission staff						X
J-4. Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.	Ongoing	Planning and Development Dept./ Historic Preservation Staff						X
K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.	Ongoing	Planning and Development Dept.						X
K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 General Plan.) The following measures can be used to mitigate noise impacts; however, impacts may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4. <ul style="list-style-type: none"> • Site Planning. See Chapter V for more details. • Barriers. See Chapter V for more details. • Building Designs. See Chapter V for more details. 	Ongoing/upon submittal of land use entitlement application	Planning and Development Dept.						X
K-3. The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.	Ongoing/prior to building permit issuance	Planning and Development Dept.						X

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L-1. Any construction that occurs as a result of a project shall conform with current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.	Ongoing	Planning and Development Dept.						X
N-1. The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.	Ongoing	Planning and Development Dept.						X
Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.	Ongoing	Planning and Development Dept.						X

K:\Common\Tract Maps\T-5597\MEIR Checklist 10-24-06

P.O. Box 126
Fresno, CA 93707
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

NOTICE OF PUBLIC HEARING

(LAFCo File No. OS-07-2)
(LAFCo File No. RO-07-23)
(LAFCo File No. RO-07-24)
(LAFCo File No. SOI-208)
(LAFCo File No. SOI-209)
(LAFCo File No. SOI-210)

HEARING DATE AND TIME:
DECEMBER 9, 2008
1:30 P.M.

MISC. NOTICE

DECLARATION OF PUBLICATION

(2015.5 C.C.P.)

NOTICE OF PUBLIC HEARING FRESNO LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the Fresno Local Agency Formation Commission (LAFCo) will consider the following "Proposals" at a public hearing on January 9, 2008.

1. City of Reedley "Extension of Municipal Services". A request to extend water, sewer and storm drain services to the Kings Canyon Unified School District's proposed Zumwalt Avenue School site. The property proposed for extended services is 20.4 acres in size and is located on the west side of Zumwalt Avenue between Manning and Dinuba Avenues (LAFCo File No. OS-07-2).

2. City of Fresno "Barstow-Garfield No. 1 Reorganization". A reorganization submitted by landowner petition to annex 71.89 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow between N. Garfield and N. Grantland Avenues (LAFCo File No. RO-07-23).

3. City of Fresno "McKinley-Brawley No. 4 Reorganization". A reorganization submitted by Resolution of the Fresno City Council to annex 41.89 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located at the northwest corner of W. McKinley and N. Brawley Avenues (LAFCo File No. RO-07-24).

4. Determine the Sphere of Influence for the Camp 13 Drainage District that includes approximately 4,923 acres located west of Storey Road, between the Main and Outside Canals, in Fresno County (LAFCo File No. SOI-208).

5. Determine the Sphere of Influence for CSA #49 (O'Neill Community) located approx. three miles southwest of the Community of Five Points (LAFCo File No. SOI-209).

6. Determine the Sphere of Influence for CSA #50 (Auberry Fire Department) that includes approximately 31.40 acres located generally in the Community of Auber (LAFCo File No. SOI-210).

7. The Commission will consider amending Section 350 of Fresno LAFCo's adopted Policies, Standards and Procedures (LAFCo Fee Schedule) to consider increasing fee for one year time extensions.

PLEASE BE INFORMED THAT this public hearing to consider these Proposals will be held at 1:30 p.m., or soon thereafter on Wednesday, January 9, 2008, in Room 301, Hall of Records, Tulare and "I" Streets, Fresno. All interested parties are invited to attend this hearing and present testimony on these matters. For additional information contact the Fresno LAFCo Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721 (Telephone (559) 495-0604, e-mail: rballantyn@co.fresno.ca.us). The staff reports for above proposals will be available to view on our website at: www.fresnolafo.org as of January 3, 2008.

DATED: December 17, 2007
12/17/2007

STATE OF CALIFORNIA

COUNTY OF FRESNO

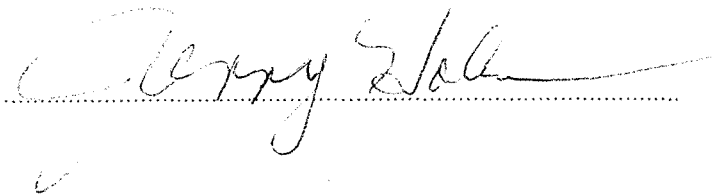
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No. 14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

DECEMBER 17, 2007

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

DECEMBER 17, 2007

ON



THIS IS A LEGAL NOTICE

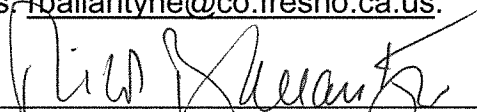
**NOTICE OF PUBLIC HEARING
FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
FRESNO COUNTY, CALIFORNIA**

PLEASE BE ADVISED THAT the Local Agency Formation Commission (LAFCo) will hold a public hearing to consider the following:

"Barstow-Garfield No. 1 Reorganization" - A reorganization submitted by landowner petition to annex 71.89 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues.

The City of Fresno has pre-zoned the territory from R-R (County) District to the R-1/UGM (Single-Family Residential District/Urban Growth Management), R-A (Single-Family Residential-Agricultural/Urban Growth Management, and R-2/UGM (Low Density Multiple-Family Residential/Urban Growth Management) Districts. The City has also approved Vesting Tentative Tract Map No. 5597/UGM to allow a 214-lot single-family residential subdivision on a 41.5 acre portion of the affected territory.

THE PUBLIC HEARING will be held on Wednesday, January 9, 2008, at 1:30 p.m., or as soon thereafter, in the Fresno County Board of Supervisors' Chamber, Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno. Interested agencies and individuals are invited to attend this meeting and give public testimony on this item. For additional information, please contact Rick Ballantyne, Executive Officer at Fresno LAFCo, 2115 Kern Street, Suite 310, Fresno, CA 93721, phone: (559) 495-0604, e-mail address: rballantyne@co.fresno.ca.us.


Rick Ballantyne
LAFCo Executive Officer

Dated: December 17, 2007
File: RO-07-23

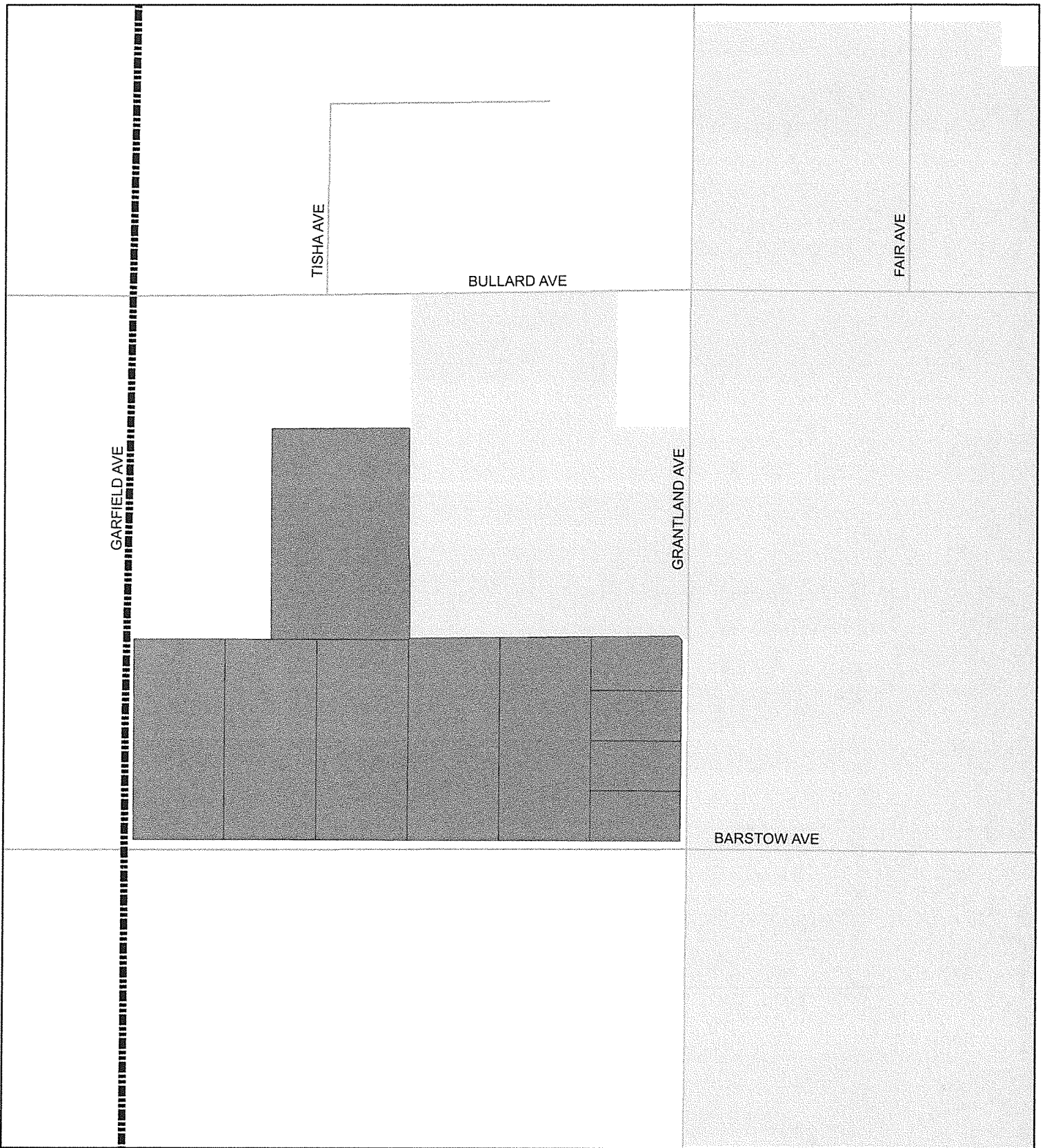
(1) If you are an applicant for, or a participant in, any proceeding on the agenda for a **land use entitlement** and have made a **campaign contribution** of more than \$250 to any member or alternative member of the Commission **within twelve (12) months prior to the Commission considering your application**, please immediately inform the Commission of your contribution. State law **disqualifies** each Commissioner and Alternative Commissioner from participating in and voting on land use entitlement decisions (which include changes of organization and reorganizations) if the Commissioner or Alternative Commissioner has received campaign contributions from (i) an applicant for a land use entitlement, (ii) someone who lobbies the Commission or LAFCo staff regarding an application for land use entitlement, (iii) someone who testifies in person before the Commission regarding an application for land use entitlement, or (iv) someone who otherwise acts to influence the outcome of an application for land use entitlement.

State law also prohibits applicants and participants from making campaign contributions to a Commissioner or Alternate Commissioner within three (3) months **after** the Commission's action. If you have any questions regarding these requirements which are contained within the **California Political Reform Act** (Government Code Section 84308 *et seq.*), please consult with Commission staff at 559/495-0604.




(2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Candie Fleming, Clerk to the Commission at 559-495-0604. Notification 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

(3) A Staff report prepared for this item will be posted on the Fresno LAFCo Website: www.fresnolafco.org. five days prior to the public hearing.

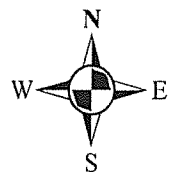
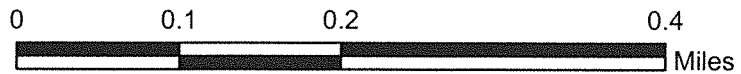
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23



CERTIFICATE OF SUFFICIENCY – LANDOWNER PETITION

Fresno Local Agency Formation Commission

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

The undersigned certifies as follows:

I am the duly appointed Executive Officer of the Local Agency Formation Commission of the above County.

The attached petition entitled, "Barstow-Garfield No. 1 Reorganization", was accepted by me on November 19, 2007.

Said petition is signed by landowners. Pursuant to Sections 56708 of the Government Code, I have compared the names of the signers on said petition against the names of the persons shown as owners of land on the last equalized assessment roll of the County and have ascertained the following:

1. All signatures on the petition were secured within six months of the date of which the first signature on the petition was affixed.
2. Said petition was signed by holders of title of 13% of the 70.13 acres of land within the proposed reorganization area.

The minimum signature requirements for a sufficient petition are: signatures by not less than 5 percent of the number of landowners owning land within the territory proposed to be reorganized who also own not less than 5 percent of the assessed value of land within the territory.

Based upon my examination, I hereby determine and certify that the petition was signed by the requisite number of qualified signers, and qualifies as a sufficient petition.

Dated: 11/26/07


Rick Ballantyne, Executive Officer

"Barstow-Garfield No. 1 Reorganization"
Report

1. **Proposal:**
Annexation to the City of Fresno and Detachment from the Kings River Conservation District, and the North Central Fire Protection District.

2. **Acreage:** 71.89 +/-

3. **Location Description:** n/o W. Barstow Ave. between N. Garfield and N. Grantland

4. **Cities and Districts included wholly or partially within proposal area:**

- a. County of Fresno
- b. Fresno County Library District
- c. No Central Fire
- d. Fresno Metropolitan Flood
- e. Kings River Conservation District
- f. Fresno Mosquito Abatement District
- g. Central Unified
- h. State Center Community College
- i. W Fresno Red Scale
- j. Fresno Irrigation District



5. **Agricultural Preserves and Land Conservation Contracts within proposal area:** None

Agricultural Preserves and Land Conservation Contracts within adjoining territory: None

6. **Comments of legal description and map received on:** 11/20/2007

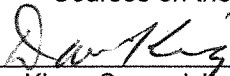
Correction Needed?	Comments a,b,c,d,e,f,g
Indefinite & uncertain boundaries?	No
Conflicts with lines of assessment?	No
Divides ownership?	No
Additional territory recommended?	No
Deletion of territory recommended?	No
Proposal will create: Island?	No
Corridor?	No
Non-contiguous boundary?	No
Is map insufficient for filing?	Comments a,b,c,d,e,f,g

*Sent to
Jeff Roberts
11-26-07
via email + US Mail*

"Barstow-Garfield No. 1 Reorganization"

7. Comments:

- a. If the legal description or map is revised for any reason, the date revised must be shown on the same.
- b. Requirements for map and legal can be viewed at the following website;
<http://www.boe.ca.gov/proptaxes/sprdcont.htm>.
- c. The LAFCO application fails to state any detachment from the North Central Fire District although page 2 indicates that the City of Fresno is to take over fire protection.
- d. Proposal name and description needs to be annotated on both the map and legal and must be consistent with the name and description that appears on the City Annexation Application.
- e. The City of Fresno boundary indicated on the southern border of the proposal area along W. Barstow Ave. appears to be in error.
- f. Both legal and map need to be corrected for name of Fire Protection District.
- g. Courses on the legal need to be corrected to reflect the proper existing city limit references.



Dave King, Supervising Cadastral Technician

RO-07-23

File #

BARSTOW-GARFIELD NO. 1 REORGANIZATION
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE
FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE
NORTH CENTRAL
KINGS RIVER CONSERVATION DISTRICT

GEOGRAPHIC DESCRIPTION

That portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

~~BEGINNING~~ at the Center Quarter corner of said Section 8, ~~said corner being on the existing limit line of the City of Fresno;~~

thence (1) ~~leaving the existing limit line of the City of Fresno,~~ South $89^{\circ}29'02''$ West, along the South line of the Northwest Quarter of said Section 8, a distance of 30.00 feet;

thence (2) North $0^{\circ}00'24''$ West, parallel with and 30.00 feet West of the West line of the Northeast Quarter of said Section 8, a distance of 974.00 feet;

thence (3) North $89^{\circ}28'46''$ East, along the South line of Parcel Map No. 7905, according to the map recorded in Book 63, pages 89 and 90 of Parcel Maps, Fresno County Records and its Westerly Prolongation, a distance of 707.27 feet to the Southeast corner of said Parcel Map No. 7905;

thence (4) North $0^{\circ}00'22''$ West, along the East line of said Parcel Map No. 7905 and its Northerly prolongation, a distance of 974.00 feet;

thence (5) North $89^{\circ}28'46''$ East, along the centerline of a 60.00 feet strip of land as shown on that Map of Survey recorded in Book 10, page 33 of Records of Surveys, Fresno County Records, a distance of 647.27 feet to the intersection with the West line of Tract No. 5338, according to the map recorded in Volume 75, pages 62, 63, 64 and 65 of Plats, Fresno County Records, said West line being on the existing limit line of the City of Fresno;

thence (6) South $0^{\circ}00'12''$ East, along the West line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet to the Southwest corner of said Tract No. 5338;

RO-07-
File #

thence (7) North 89°28'58" East, along the South line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 1294.48 feet;

thence (8) South 0°00'00" West, parallel with and 30.00 feet West of the East line of said Section 8, along the existing limit line of the City of Fresno, a distance of 943.32 feet;

thence ^{leaving the existing limit line of the City of Fresno} (9) South 89°28'46" West, parallel with and 30.00 feet North of the South line of the Northeast Quarter of said Section 8, ~~along the existing limit line of the City of Fresno,~~ a distance of 2618.86 feet to the intersection with the West line of the Northeast Quarter of said Section 8;

thence (10) South 0°00'24" East, along the West line of the Northeast Quarter of said Section 8, ~~being also the existing limit line of the City of Fresno,~~ a distance of 30.00 feet to the **Point of Beginning**.

Contains an area of **71.89** acres more or less.

Dated: October 15, 2007

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

PETITION
 FOR PROCEEDINGS PURSUANT TO
 THE CORTESE-KNOX -HERTZBERG LOCAL GOVERNMENT REORGANIZATION
 ACT OF 2000

The undersigned hereby petitions the Local Agency Formation Commission of Fresno County for approval of a proposed change of organization and stipulates as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).

2. The specific changes of organization proposed are to Annex to the City of Fresno and detach from the Kings River Conservation District and the North Central Fire Protection District.

3. The boundaries of the territory included in the proposal are as described in exhibits attached hereto and by this reference incorporated herein.

4. The territory included in the proposal is ~~inhabited~~ uninhabited.

5. This proposal is ~~is not~~ consistent with the sphere of influence of the City of Fresno.

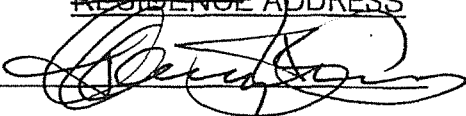
6. The reasons for the proposed reorganization at this time are to develop a portion (40± acres) of the 69.5 Ac. site

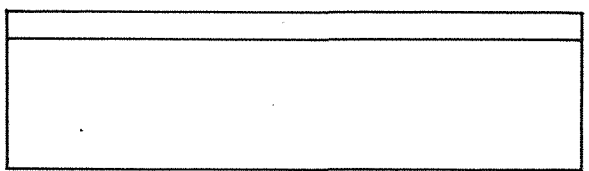
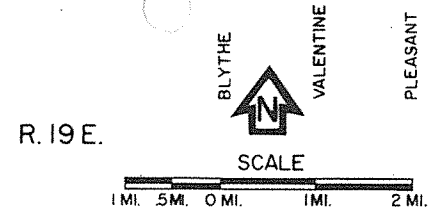
7. The reason for the proposed boundary is to comply with the boundaries agreed to by the City of Fresno, County of Fresno, and LAFC's Staff.

8. The proposed reorganization is requested to be made subject to the following terms and conditions:

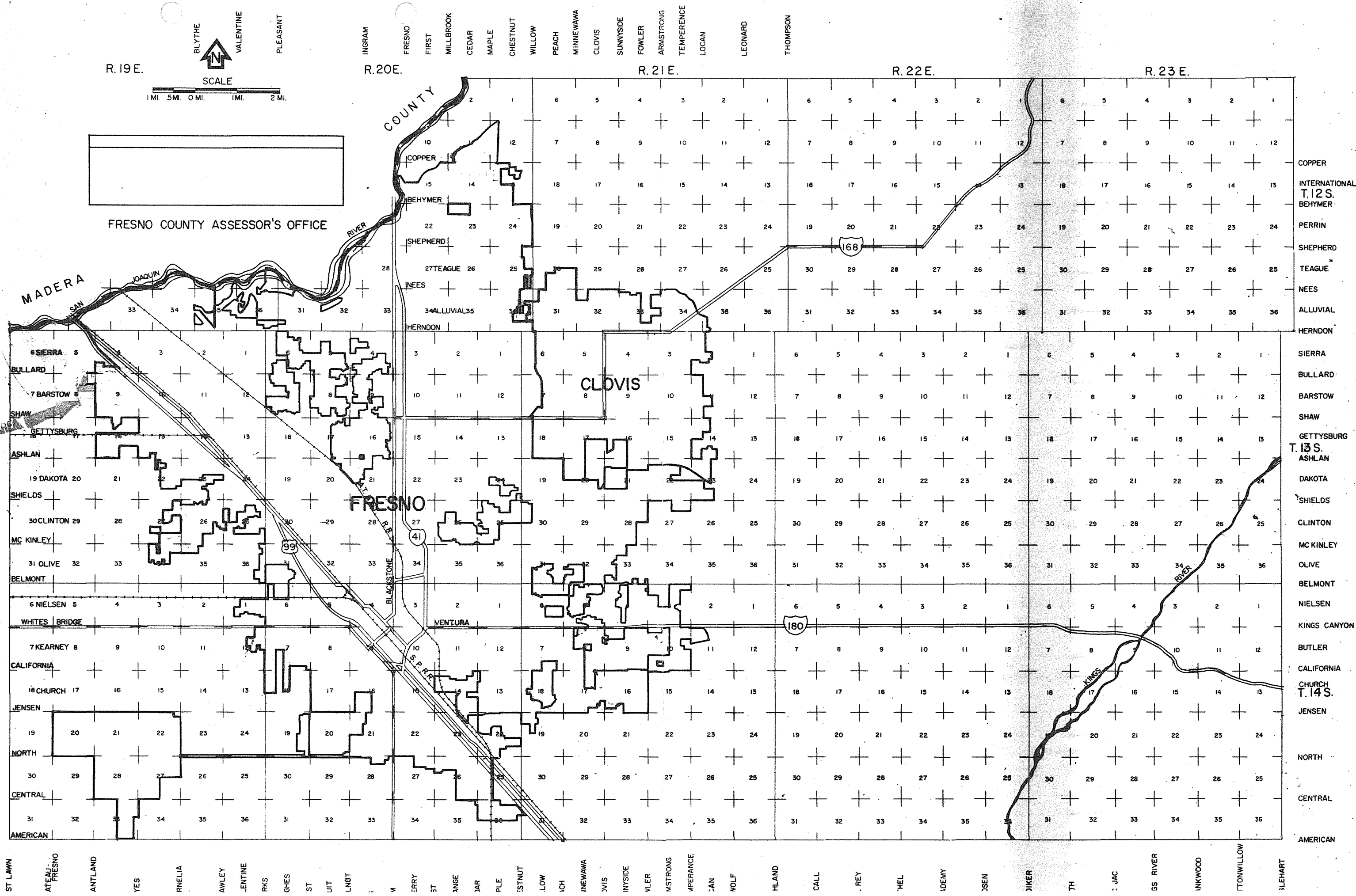
9. The persons signing this petition have signed as registered voters/owners of land.

Wherefore, petitioners requests that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signatures as follows:

<u>DATE</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>BUSINESS RESIDENCE ADDRESS</u>
1. 10/15/2007	Jeffrey T. Roberts		
2.	VP Granville Homes, Inc. owner of a portion		
3.	of the property (1396 W. Herndon #101)		Fresno, Calif. 93711



FRESNO COUNTY ASSESSOR'S OFFICE



OPPOSAL AREA

ST LAWN
ATEAU-FRESNO
ANTLAND
YES
RNELIA
AWLEY
L-ENTINE
RKS
GHES
ST
UIT
LNGT
V
ERRY
ST
ANGE
JAR
PLE
STNUT
LOW
ICH
INEWAWA
JVIS
INSIDE
VLER
MSTRONG
MPERANCE
JAN
WOLF
HLAND
CALL
REY
HEL
ADEMY
JSEN
DIKER
TH
JAC
SS RIVER
INKWOOD
ITONWILLOW
BLEHART

COPPER
INTERNATIONAL
T.12S.
BEHYMER
PERRIN
SHEPHERD
TEAGUE
NEES
ALLUVIAL
HERNDON
SIERRA
BULLARD
BARSTOW
SHAW
GETTYSBURG
T.13S.
ASHLAN
DAKOTA
SHIELDS
CLINTON
MC KINLEY
OLIVE
BELMONT
NIELSEN
KINGS CANYON
BUTLER
CALIFORNIA
CHURCH
T.14S.
JENSEN
NORTH
CENTRAL
AMERICAN



Fresno Local Agency Formation Commission

November 19, 2007

CERTIFICATE OF FILING

Mr. Jeff Roberts, Vice President
Granville Homes, Inc.
1396 W. Herndon, #101
Fresno, CA 93711

Dear Mr. Roberts:

Subject: "Barstow-Garfield No. 1 Reorganization"

This notice certifies that on November 19, 2007, pursuant to Section 56658(g) of the Government Code, the proposed reorganization for the City of Fresno was accepted for filing with the Local Agency Formation Commission.

The date and place for the Local Agency Formation Commission's consideration of the subject proposal is January 9, 2008, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno.

Sincerely,

Darrel Schmidt, Deputy Executive Officer
Fresno Local Agency Formation Commission

DS:cf

cc: Commissioners

NAMES OF LANDOWNERS OR PARTIES OF REAL INTEREST (Asterisk indicates consent):

City of Fresno Granville Homes*

Note: If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of more than \$250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political



Fresno Local Agency Formation Commission

NOTICE TO SUBJECT AND INTERESTED AGENCIES (Required by State Law, Government Code Section 56658(b)(1))

City of Fresno
County of Fresno
North Central Fire Protection District
Kings River Conservation District
Central Unified School District
State Center Community College District
Committee on School District Organization
Fresno County Library
Historical Landmarks and Records Commission (HLRC)
Fresno Irrigation District
Fresno Metropolitan Flood Control District
Fresno Mosquito Abatement District
West Fresno County Red Scale Protective District
Sierra Resource Conservation District

The Fresno Local Agency Formation Commission has received an application submitted by Landowner Petition for an annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District to develop 69.5 acres with 204 single-family residential lots. The territory is located north of West Barstow between north Garfield and north Grantland Avenues (See attached map). The proposal currently has eight registered voters and is uninhabited.

For further information you may contact our office at the address and phone number listed below.


Rick Ballantyne
Executive Officer




Application Name: "Barstow-Garfield No. 1 Reorganization"
File Number: RO-07-23
Date: October 30, 2007

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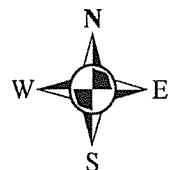
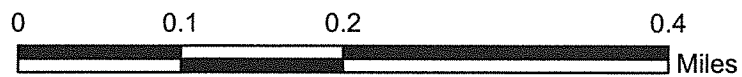
EXHIBIT "A"



Legend

-  Sphere of Influence
-  Fresno City Limits
-  Affected Territory

City of Fresno "Barstow-Garfield
No. 1 Reorganization"
LAFCo File No. RO-07-23





Fresno Local Agency Formation Commission

October 25, 2007

Bart Bohn, County Administrative Officer
Hall of Records
2281 Tulare Street, Room #304
Fresno, CA 93721

Dear Mr. Bohn:

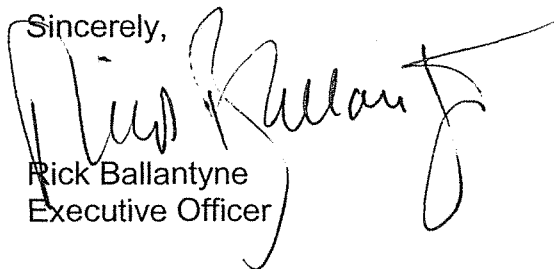
Subject: Proposed "Barstow-Garfield No. 1 Reorganization (City of Fresno, Tract No. 5597)

We have received a landowner petition from Mr. Jeff Roberts, requesting annexation of 71.89 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.

We would appreciate it if you would review the application and map and confirm that it is consistent with the Master Tax Sharing Agreement that was approved between the County Board of Supervisors and the Fresno City Council.

The City of Fresno has received this proposal and has offered comments (see attached letter).

Sincerely,



Rick Ballantyne
Executive Officer

RB:cf

Cc: Jeffrey T. Roberts, Vice President, Granville Homes, Inc.
Bernard Jimenez, Development Services Manager

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Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721



AGENCY CONSENT FOR WAIVER OF PROTEST HEARING
"BARSTOW-GARFIELD NO. 1 REORGANIZATION", LAFCo AGENCY
NO. 07-23

PLEASE BE ADVISED that all affected local agencies that will gain or lose territory as a result of this proposed annexation or reorganization must consent in writing to a waiver of protest proceedings or this proposal will automatically be scheduled for a protest hearing (Gov Code Sec 56663(d)).

The written signature of an authorized official of your agency is necessary to preclude the scheduling and holding of a protest hearing. If you sign this waiver now and circumstances change, you may rescind this waiver and request protest proceedings at any time prior to and/or at the public hearing for this item.

If you are unable to sign this waiver we would appreciate an explanation outlining your reasons and/or a written statement summarizing the reasons your agency wishes LAFCo to hold a protest hearing for this proposal. In either case, if you do not sign this waiver your presence at its scheduled LAFCo hearing and following protest hearing is requested.

As representative of the **Kings River Conservation District**, an affected agency, the signature below serves as consent for the Fresno Local Agency Formation Commission to waive Protest Proceedings for this reorganization pursuant to Section 56663 (If 100% of the landowners have consented to the proposed annexation).

Please return this form and any comments by December 5, 2007. Thank you.

Lyndee Barber
Signature Waiving Protest Proceedings

11/26/07
Date

4886 E. Jensen Ave., Fresno, CA 93725
Address

**CITY ANNEXATION APPLICATION
Not In Urban Service Area**

CHANGE OF ORGANIZATION OR REORGANIZATION
CORTESI-KNOX LOCAL GOVERNMENT REORGANIZATION
(Government Code Sec. 56000, et seq.)

Proposals Initiated by Resolution or Petition

FRESNO LOCAL AGENCY FORMATION COMMISSION
2115 KERN STREET, SUITE 310
Fresno, CA 93721 PHONE: (559) 495-0604

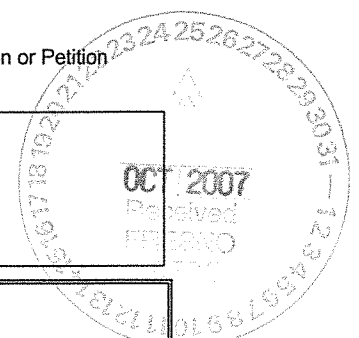
Rick Ballantyne, Executive Officer
Candie Fleming, Commission Clerk

OFFICE USE ONLY:

LAFCo File No.

R0-07-23

Date Received



Name of Proposal BARSTOW-GARFIELD No. 1

Changes of Organization listed in Resolution or Petition PETITION TO ANNEX TO THE CITY OF FRESNO AND DETACH FROM THE KINGS RIVER CONSERVATION DISTRICT.

Signature of Chief Petitioner or Representative of Initiating Agency [Signature] Date 10-15-2007

Name Jeffrey T. Roberts Title VP - Granville Homes

Address 1396 W. Herndon #101, Fresno, Ca. 93711

Phone (559) 436-0900 Fax 436-1659 Cell 288-0688

Email Address jroberts@gvhomes.com

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

List the name and address of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive officer's Report.

Name	Address, Zip Code, Phone Number, and Email Address

1. List of Affected Landowners and Financial Interests/Political Reform Act Compliance

Please provide the names of all landowners, lessees, any parties with an option to purchase or lease the property, or any other parties having any ownership or financial interest in the property. If the interest is a corporation, LLC, or partnership entity, please list the names of all individuals or entities who are shareholders, members, or partners in the corporation, LLC or partnership. If the corporation has more than 50 fifty shareholders, please provide the names of those individuals or entities owning more than 25% of the corporation's shares. If the entity is a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries. Please use additional pages if necessary.

- Farid Assemi owner, Granville Homes, Inc.
- Farid Assemi " " " "
- Farid Assemi " " " "
- Fresno Metropolitan Flood Control District
- Ernest and Donna Lewis
- Woon Sop and Chooing Sok Kang
- Kenny and Joyce Burris
- Richard and Irene Deaks

If an applicant for or participant of any proceeding has made a campaign contribution of more than \$250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (government Code Section 84308).

2. Reasons for Proposal

A. State the reasons for this change, and why the change is proposed at this time.
The land is in the City 501 and has been pre-zoned. It is ready to develop.

B. Describe in detail any proposed development:

Development location and acreage 69.5 Acres
Types of uses and number of units 204 SF lots / FUMCD Basin/etc .
Project file numbers and status R-05-94 (Approved)
Other details: UTTM No. 5597 (Approved)

If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of this area.
R-2 portion of site is developed with SF homes with no city services

C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.
The boundaries have been agreed to by the City, County, and LAFCO Staff.

D. Amount of vacant land in acres in the community plan area already in the City that could accommodate the proposed development. N.A.

Comment on why the proposed annexation is justified given the amount of vacant land in the City already.
This land cannot develop w/o annexation to the City

3. Information on Proposal Area and Vicinity

A. Current Acreage 69.5 Ac Current No. of Registered Voters 0
Current Population Est. 10 Current County Zoning R-R
City Zoning Upon Annexation R-2, R-A, R-1

B. List the uses of land in the affected area and give acreage for each. If in agricultural use, list crops produced over the past three years.
Vacant 40± Ac. Pond. Basin 20± Ac
Developed 9.5± Ac

C. If annexation/development is adjacent to agricultural parcels, how has the city buffered the developing area or mitigated the impact of development on agricultural parcels.
By requiring Right to Farm Agreements

D. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract?
No

If so, does the resolution of application state the city's intention not to succeed do the contract?

E. Does the proposed development and change of organization conform to the City General and Specific Plans (explain if not conforming)?
YES

What is the City plan designation?
Medium Density Residential; Medium High Density Residential; Public Facility

4. Information on Services

- A. Comment on the municipal or other public service facilities or improvements which will serve the affected territory after annexation (i.e. water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities below city standards, near or beyond their capacity to adequately serve the area? Yes Are there any notices or orders to the city from state or federal agencies related to these services or facilities and their standards that would affect city services?
NO

If yes, explain how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met.

SERVICES WILL BE EXTENDED WITH DEVELOPMENT

- B. List below the names of agencies or companies now providing services and which agency will provide service after annexation completion. Include estimated date new service will begin (use "UA", if upon annexation, "UD" if upon development).

<u>Existing</u>	<u>Proposed Change</u>	<u>Date</u>
Domestic Water	<u>CITY OF FRESNO</u>	<u>UPON DEVEL.</u>
Sewer Collection	<u>"</u>	<u>CURRENT</u>
Solid Waste Collection	<u>"</u>	<u>UPON ANNEX.</u>
Street Lighting	<u>"</u>	<u>UPON DEVEL.</u>
Parks and Recreation	<u>"</u>	<u>UPON ANNEX.</u>
Fire Protection (station distance)	<u>" 1/2 mile</u>	<u>UPON ANNEX.</u>
Paramedic (station distance)	<u>AMERICAN" 1/2 mile</u>	<u>UP CURRENT</u>
Police	<u>CITY OF FRESNO</u>	<u>UPON ANNEX.</u>
Storm Drainage	<u>FMFCO</u>	<u>CURRENT</u>
Elementary School	<u>CENTRAL UNIFIED</u>	<u>"</u>
High School	<u>" "</u>	<u>"</u>

5. Information on Costs and Revenue

- A. Is there any outstanding general bonded indebtedness for any of the agencies whose boundaries are changed by this proposal?
NO

- B. If so, give information listed below:

<u>Name of Agency</u>	<u>Bond Tax Rate for Affected Territory</u>	<u>Date of Maturity</u>	<u>General Purpose of Bond</u>
-----------------------	---------------------------------------------	-------------------------	--------------------------------

- C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation? No except Cent. Unified Bond

- D. If any costs of services to be or already being received by residents within the affected territory will change as a result of this proposal, give breakdown of change for a typical residential landowner or resident in the affected territory for comparison purposes.
N.A.

- E. If any resident or landowner in the affected area will be required to connect to sewer or water lines as a result of annexation or construct any other improvements (other than as a requirement for a proposed development), list requirements, when required, and any other special circumstances related. (A letter from City to residents and landowners should also indicate these requirements.)

CITY HAS PROVIDED LETTER

6. Information on Processing Change of Organization or Reorganization

- A. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) Check either:
- Master Tax Agreement should apply to the change. If so, provide letter indicating consistency with the master agreement.
 - Other agreement for change is to be negotiated (Explain other agreement). _____
- B. Compliance with California Environmental Quality Act. Check either:
- Project is Exempt and a Notice of Exemption, prepared in consultation with LAFCo, is included.
 - An initial study is complete and a Negative Declaration prepared for the annexation in consultation with LAFCo and other affected agencies and is included.
 - An EIR has been prepared for the annexation project and 10 copies are included.
- C. Initiation of Application. A clear and reproducible legal description and map meeting Commission standards must be included, and a copy also attached to the resolution or petition. Check either:
- A certified resolution of application is included.
 - A petition of landowners or registered voters is included.
- D. Landowner Consent or Notice. Check either:
- 1. Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.
 - 2. Letter of Notification to Landowner and Residents (if no consent of all landowners).
 - a. All property owners and residents must be notified of the change and how to receive notice of LAFCo hearing.
 - b. For inhabited proposals, a City response to a neighborhood meeting, held for the annexation listing the issues and the City response.
- E. Municipal Service Plan. Check either:
- A Service Plan for the change is included.
 - A Master Service Plan is filed with LAFCo and is current (updated in 1993 or later).
- F. Waiver of Conducting Authority proceeding.
- Check if all landowners have consented in writing and there are less than twelve registered voters, and if all annexing agencies have consented in writing to waive further Conducting Authority proceeding. Include State Board of Equalization filing information and fees.

7. Supplementary Maps

A map(s) showing land use, water and sewer service lines, and City and County zoning for the affected area and vicinity.

8. Application Fees

A fee must accompany the application in accordance with the LAFCo fee schedule.

LEGAL INDEMNITY

Should the Fresno Local Agency Formation Commission ("Fresno LAFCo") be named as a party in any litigation (including a "validation" action under CCP 860 *et seq.*) or administrative proceeding in connection with the Applicant's proposal, Applicant agrees to indemnify, hold harmless, and promptly reimburse Fresno LAFCo for:

- 1) All reasonable expenses and attorney's fees in connection with the defense of Fresno LAFCo; and
- 2) Any damages, penalties, fines or other costs imposed upon or incurred by Fresno LAFCo, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document, which accompanies it. The Fresno LAFCo Executive Officer may require a deposit of funds sufficient to cover estimated expenses of the litigation. Applicant agrees that Fresno LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse defense costs.

Applicant may be required by Fresno LAFCo to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided for herein.

City or District Application

-or-

Land Owner Petition Application

City/District Representative Signature

Print Name

Date


Land Owner Signature

Jeffrey T. Roberts
Print Name

10.25.2007
Date.

PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESE-KNOX -HERTZBERG LOCAL GOVERNMENT REORGANIZATION
ACT OF 2000

The undersigned hereby petitions the Local Agency Formation Commission of Fresno County for approval of a proposed change of organization and stipulates as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).

2. The specific changes of organization proposed are to Annex to the City of Fresno and detach from the Kings River Conservation District and the North Central Fire Protection District.

3. The boundaries of the territory included in the proposal are as described in exhibits attached hereto and by this reference incorporated herein:

4. The territory included in the proposal is ~~inhabited~~ uninhabited.

5. This proposal is ~~is not~~ consistent with the sphere of influence of the City of Fresno

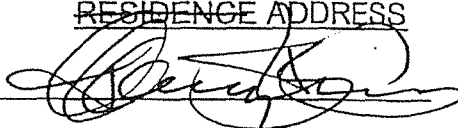
6. The reasons for the proposed reorganization at this time are to develop a portion (40± acres) of the 69.5 Ac. site

7. The reason for the proposed boundary is to comply with the boundaries agreed to by the City of Fresno, County of Fresno, and LAFCo Staff.

8. The proposed reorganization is requested to be made subject to the following terms and conditions:

9. The persons signing this petition have signed as registered voters/owners of land.

Wherefore, petitioners requests that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signatures as follows:

<u>DATE</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>BUSINESS RESIDENCE ADDRESS</u>
1. 10/15/2007	Jeffrey T. Roberts		
2.	VP Granville Homes, Inc. owner of a portion		
3.	of the property (1396 W. Herndon #101)		
			Fresno, Calif. 93711

PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESE-KNOX -HERTZBERG LOCAL GOVERNMENT REORGANIZATION
ACT OF 2000

The undersigned hereby petitions the Local Agency Formation Commission of Fresno County for approval of a proposed change of organization and stipulates as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).

2. The specific changes of organization proposed are to Annex to the City of Fresno and detach from the Kings River Conservation District.

3. The boundaries of the territory included in the proposal are as described in exhibits attached hereto and by this reference incorporated herein:

4. The territory included in the proposal is ~~inhabited~~ uninhabited.

5. This proposal is ~~is not~~ consistent with the sphere of influence of the City of Fresno.

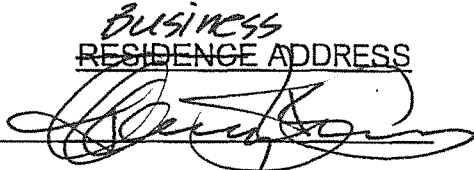
6. The reasons for the proposed reorganization at this time are to develop a portion (40± acres) of the 69.5 Ac. site.

7. The reason for the proposed boundary is to comply with the boundaries agreed to by the City of Fresno, County of Fresno, and LAFCo Staff.

8. The proposed reorganization is requested to be made subject to the following terms and conditions:

9. The persons signing this petition have signed as registered voters/owners of land.

Wherefore, petitioners requests that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signatures as follows:

<u>DATE</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>RESIDENCE ADDRESS</u>
1. 10/15/2007	Jeffrey T. Roberts		<u>Business</u>
2.	VP Evanville Homes, Inc. owner of a portion		
3.	of the property (1396 W. Herndon #101)		
			Fresno, Calif. 93711



Planning and Development Department
Nick P. Yovino, Director

2600 Fresno Street Third Floor
Fresno, California 93721-3604
(559) 621-8003 FAX (559) 488-1020



October 22, 2007

Rick Ballantyne, Executive Officer
Fresno County Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, California 93721

SUBJECT: ANNEXATION TO BE FILED BY LANDOWNER PETITION (BARSTOW-GARFIELD NO. 1) LOCATED ON THE NORTHWEST CORNER OF NORTH GRANTLAND AND WEST BARSTOW AVENUES

Dear Mr. Ballantyne:

We understand that the attached annexation is proposed to be filed by landowner petition requesting annexation of 70 acres of property located on the northwest corner of North Grantland and West Barstow Avenues.

The City has approved Vesting Tentative Tract Map No. 5597 and Rezone Application No. R-05-94 on these properties. The tentative tract map proposes development of a 214-lot single family residential subdivision on 41.5 acres of the proposed reorganization. The rezone application rezoned the entire subject property to the R-A/UGM (*Single Family Residential-Agricultural/Urban Growth Management*), R-1/UGM (*Single Family Residential/Urban Growth Management*) and R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone districts. The approved zoning is consistent with the respective plan designations shown for the site on the 2025 Fresno General Plan.

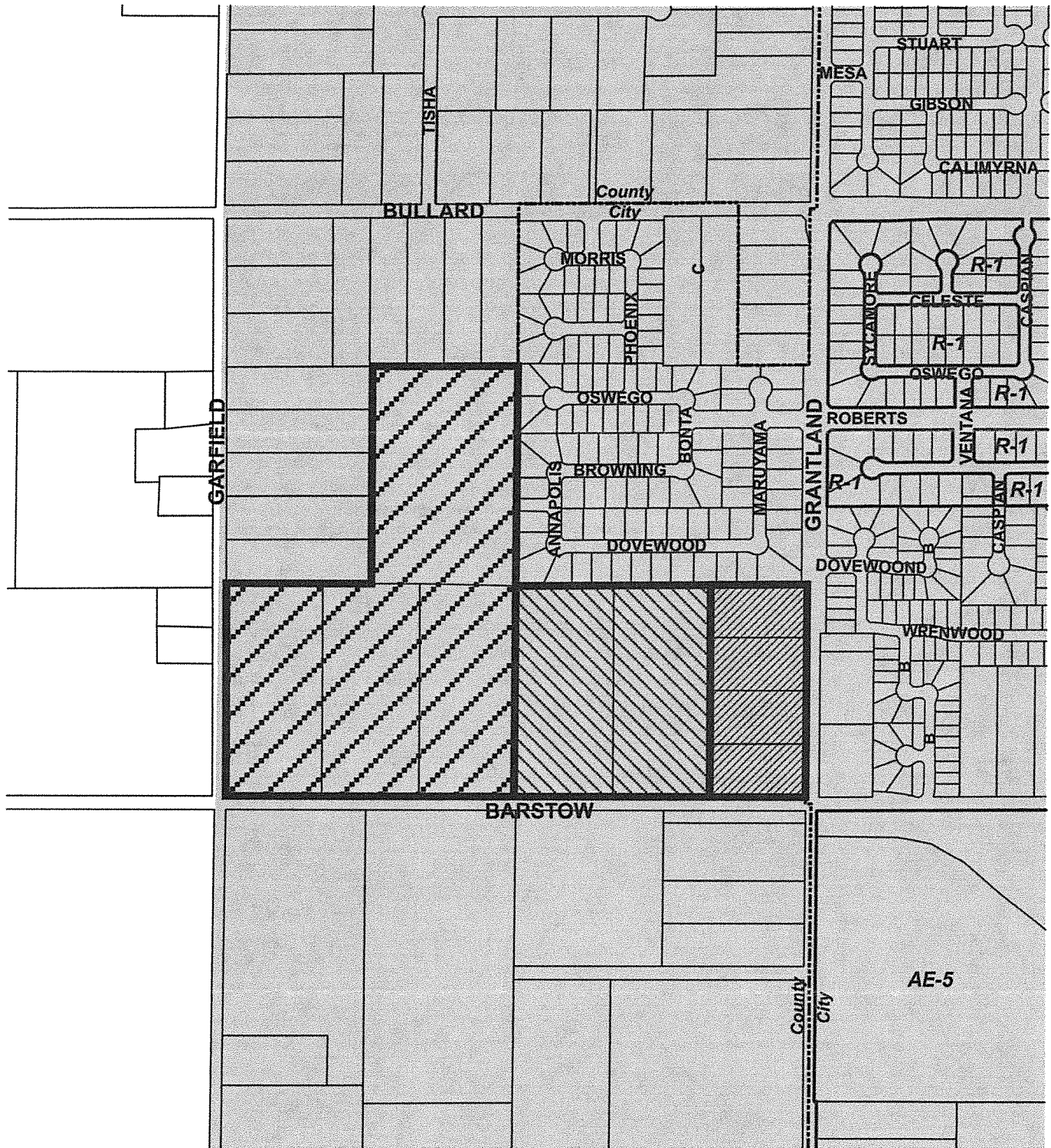
Based upon the above, it is the City's position that the proposed reorganization is consistent with the Standards of Annexation contained in Exhibit 1 of the City/County Memorandum of Understanding dated January 6, 2003.

If you have any further questions regarding this matter, please contact David Braun, Planner III at 621-8038.

Sincerely,

Keith Bergthold, Assistant Director
Planning and Development Department

- c: Vicinity Map
- Annexation map (Barstow-Garfield No. 1)
- Legal Description



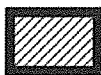
LEGEND



-Subject Property
-Rezoned from R-R (County)
to R-1/UGM
-CUP No. C-05-239
-Tract No. 5597/UGM



-Subject Property
-Rezoned from R-R (County)
to R-A/UGM



-Subject Property
-Rezoned from R-R (County)
to R-2/UGM



UGM Area

VICINITY MAP

VESTING TENTATIVE MAP OF TRACT NO. 5597/UGM

REZONE APPLICATION NO. R-05-094
From R-R (County) to R-A/UGM, R-1/UGM, R-2/UGM
CONDITIONAL USE PERMIT NO. C-05-239

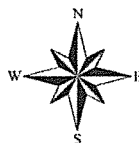
Northwest corner of Barstow and Grantland Aves.

PLANNING & DEVELOPMENT DEPARTMENT

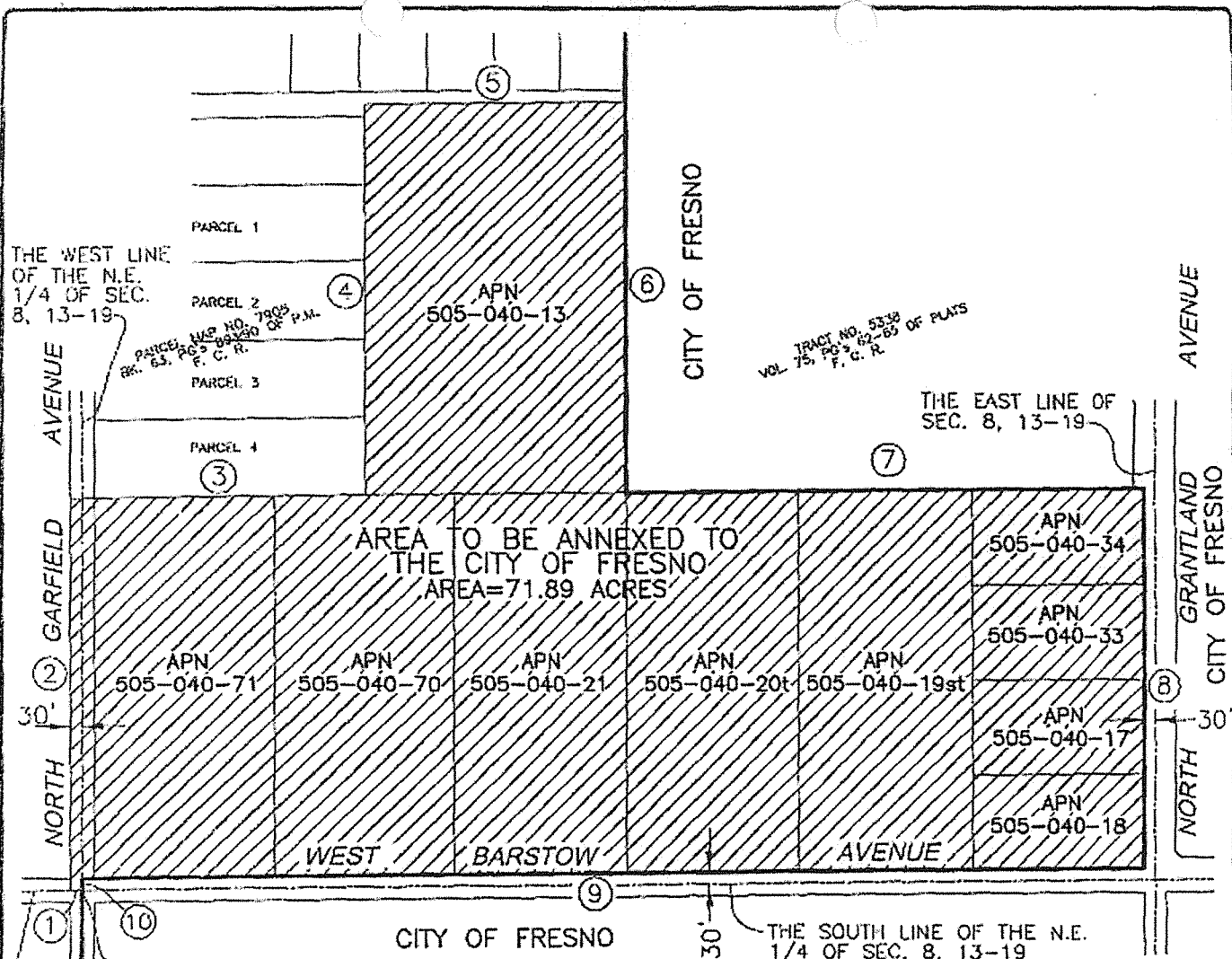
505-040-13,17,18,19ST,
A.P.N.: 20T,21,33,34,70,71

ZONE MAP: 1843

BY/DATE: J.S. / 12-7-06



NOT TO SCALE

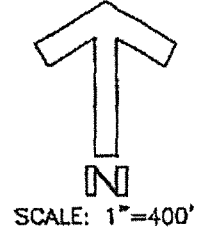


COURSES:

1. S 89°28'46" W - 30.00'
2. N 00°00'24" W - 974.00'
3. N 89°28'46" E - 707.27'
4. N 00°00'22" W - 974.00'
5. N 89°28'46" E - 647.27'
6. S 00°00'12" E - 974.00'
7. N 89°28'58" E - 1294.48'
8. S 00°00'00" W - 943.32'
9. S 89°28'46" W - 2618.86'
10. S 00°00'24" E - 30.00'

LEGEND:

- INDICATES EXISTING LIMIT LINE OF THE CITY OF FRESNO
- INDICATES AREA TO BE ANNEXED TO THE CITY OF FRESNO



AREA TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED BY: GARY G. GIANNETTA 1119 "S" STREET FRESNO, CA 93721 559.264.3590	BARSTOW-GARFIELD NO. 1 REORGANIZATION A PORTION OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN	PREPARED: 10/15/07
------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------

RO-07-
File #

BARSTOW-GARFIELD NO. 1 REORGANIZATION
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE
FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE
KINGS RIVER CONSERVATION DISTRICT

GEOGRAPHIC DESCRIPTION

That portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Center Quarter corner of said Section 8, said corner being on the existing limit line of the City of Fresno;

thence (1) leaving the existing limit line of the City of Fresno, South 89°29'02" West, along the South line of the Northwest Quarter of said Section 8, a distance of 30.00 feet;

thence (2) North 0°00'24" West, parallel with and 30.00 feet West of the West line of the Northeast Quarter of said Section 8, a distance of 974.00 feet;

thence (3) North 89°28'46" East, along the South line of Parcel Map No. 7905, according to the map recorded in Book 63, pages 89 and 90 of Parcel Maps, Fresno County Records and its Westerly Prolongation, a distance of 707.27 feet to the Southeast corner of said Parcel Map No. 7905;

thence (4) North 0°00'22" West, along the East line of said Parcel Map No. 7905 and its Northerly prolongation, a distance of 974.00 feet;

thence (5) North 89°28'46" East, along the centerline of a 60.00 feet strip of land as shown on that Map of Survey recorded in Book 10, page 33 of Records of Surveys, Fresno County Records, a distance of 647.27 feet to the intersection with the West line of Tract No. 5338, according to the map recorded in Volume 75, pages 62, 63, 64 and 65 of Plats, Fresno County Records, said West line being on the existing limit line of the City of Fresno;

thence (6) South 0°00'12" East, along the West line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet to the Southwest corner of said Tract No. 5338;

RO-07-
File #

thence (7) North $89^{\circ}28'58''$ East, along the South line of said Tract No. 5338, being also along the existing limit line of the City of Fresno, a distance of 1294.48 feet;

thence (8) South $0^{\circ}00'00''$ West, parallel with and 30.00 feet West of the East line of said Section 8, along the existing limit line of the City of Fresno, a distance of 943.32 feet;

thence (9) South $89^{\circ}28'46''$ West, parallel with and 30.00 feet North of the South line of the Northeast Quarter of said Section 8, along the existing limit line of the City of Fresno, a distance of 2618.86 feet to the intersection with the West line of the Northeast Quarter of said Section 8;

thence (10) South $0^{\circ}00'24''$ East, along the West line of the Northeast Quarter of said Section 8, being also the existing limit line of the City of Fresno, a distance of 30.00 feet to the **Point of Beginning**.

Contains an area of **71.89** acres more or less.

Dated: October 15, 2007

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



Planning & Development Department

2600 Fresno Street - Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 498-1012

Nick P. Yovino
Director

October 5, 2007

Please reply to:
David Braun
(559) 621-8038

Jeff Roberts
Granville Homes, Inc.
1396 West Herndon Avenue, Suite 101
Fresno, CA 93711

SUBJECT: FINAL ACTION BY THE FRESNO CITY COUNCIL REGARDING REZONE APPLICATION NO. R-05-94 LOCATED ON THE NORTH SIDE OF WEST BARSTOW AVENUE BETWEEN NORTH GARFIELD AND NORTH GRANTLAND AVENUES (APN: 505-040-13, 17, 18, 19, 20, 21, 33, 34, 70, 71)

At its regular scheduled meeting on September 18, 2007, the Fresno City Council took the following action regarding the above-referenced application:

1. Approved the environmental finding of Environmental Assessment No. R-05-94/T-5597/C-05-239 dated November 27, 2006, that the project conforms to the provisions of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130).
2. Approved Rezone Application No. R-05-94 requesting to rezone the approximately 69.5 acre site from the R-R (*County*) zone district to the R-1/UGM (*Single Family Residential District/Urban Growth Management*), R-A/UGM (*Single Family Residential-Agricultural/Urban Growth Management*) and R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone districts.

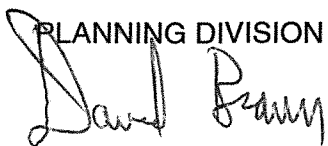
On August 15, 2007, the City of Fresno Planning Commission approved the following:

1. Approved Vesting Tentative Tract Map No. 5597/UGM requesting to subdivide approximately 41.5 acres of the subject property into a 214-lot single family residential subdivision.

Enclosed is a copy of the Planning Commission Resolution and City Council Ordinance Bill adopted for the rezone and tentative tract map.

If you have any questions regarding these items please contact me at the number listed above.

Sincerely,

PLANNING DIVISION

David Braun, Planner III

Enclosures: Planning Commission Resolution No. 12726
City Council Ordinance Bill No. 2007-73

Cc: Giannetta Engineering

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 12726**

The Fresno City Planning Commission at its regular meeting on August 15, 2007, adopted the following resolution pursuant to the Subdivision Map Act of the Government Code of the State of California and the Municipal Code of the City of Fresno.

WHEREAS, Vesting Tentative Tract Map No. 5597/UGM was filed with the City of Fresno and proposes to subdivide the subject property into a 214-lot single family residential subdivision on approximately 41.5 (net) acres of property located on the northeast corner of West Barstow and North Garfield Avenues; and,

WHEREAS, on August 21, 2006, the West Area Community Plan Advisory Committee recommended approval of the tract map and related rezone application; and,

WHEREAS, the Planning and Development Department staff recommended approval of the proposed project subject to all conditions of approval contained in the staff report dated August 15, 2007; and,

WHEREAS, at that same hearing the Commission reviewed related Rezone Application No. R-05-94 proposing to reclassify the subject site from the R-R (*County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*), R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) and R-A/UGM (*Single Family Residential-Agricultural/Urban Growth Management*) zone districts; and,

WHEREAS, the Fresno City Planning Commission conducted a public hearing on August 15, 2007, to review the proposed subdivision and considered the staff report and invited testimony with respect to the proposed subdivision; and,

WHEREAS, no neighbors spoke in opposition to the tentative tract map.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Vesting Tentative Tract Map No. 5597/UGM may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 27, 2006, prepared for Environmental Assessment No. R-05-94/T-5597/C-05-239.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that approval of the tentative tract map is consistent with the adopted 2025 Fresno General Plan and the West Area Community Plan and the findings required pursuant to Section 66410 et. seq. of the Government Code.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby approves Vesting Tentative Tract Map No. 5597/UGM subject to the Planning and Development Department Conditions of Approval dated August 15, 2007 and the following addition to the conditions of approval:

No occupancy permits shall be issued for any structures within Vesting Tentative Tract No. 5597 prior to August 15, 2009 (two years from the date of approval of the tentative tract map).

Planning Commission Resolution No. 12726
Tentative Tract Map No. 5597
August 15, 2007
Page 2

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Holt, seconded by Commissioner Kissler.

VOTING: Ayes - Holt, Kissler, DiBuduo, Vang, Vasquez
 Noes - None
 Not Voting - None
 Absent - Cherry, Torossian

DATED: August 15, 2007

NICK P. YOVINO, Secretary
Fresno City Planning Commission

Resolution No. 12726
Tentative Tract Map No. 5597/UGM
Filed by Granville Homes, Inc.
Action: Approve with conditions

Recording Requested by:
City Clerk, Fresno, California
No Fee-Govt. Code 6103

Return to City Clerk, Fresno

Space above this line reserved for Fresno County Recorder's Office



ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
MOVED BY Calhoun SECONDED BY Westerlund

BILL NO. B-76

ORDINANCE NO. 2007-73

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE CITY OF FRESNO

WHEREAS, Rezone Application No. R-05-94 has been filed with the City of Fresno by Granville Homes, Inc., property owner, to rezone property as described hereinbelow; and,

WHEREAS, the West Area Community Plan Advisory Committee considered this application at its meeting of August 21, 2006, and recommended approval; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 15th day of August, 2007, to consider Rezone Application No. R-05-94 and related Environmental Assessment No. R-05-94/T-5597/C-05-239, during which the Commission considered the environmental assessment and recommended to the Council of the City of Fresno approval of the rezone application which proposes to amend the City's Zoning Ordinance on real property described hereinbelow from the R-R (*County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*), R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) and R-A/UGM (*Single Family Residential-Agricultural/Urban Growth Management*) zone districts; and,

Adopted 9-18-07
Approved 9-18-07
Effective 10-19-07

2007-73



WHEREAS, the Council of the City of Fresno, on the 18th day of September, 2007, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that the rezoning may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 27, 2006, prepared for Environmental Assessment No. R-05-94/T-5597/C-05-294. Accordingly, Environmental Assessment No. R-05-94/T-5597/C-05-294 is hereby approved.

SECTION 2. The Council finds the requested R-1/UGM zone district is consistent with the medium high density residential and the medium low density residential planned land use designations of the 2025 Fresno General Plan and the West Area Community Plan pursuant to Section 12-403-B-2 of the Fresno Municipal Code.

SECTION 3. The Council finds the requested R-2/UGM zone district is consistent with the medium high density residential planned land use designation of the 2025 Fresno General Plan and the West Area Community Plan pursuant to Section 12-403-B of the Fresno Municipal Code.

SECTION 4. The Council finds the requested R-A/UGM zone district is consistent with the open space-ponding basin planned land use designation of the 2025 Fresno General Plan and the West Area Community Plan pursuant to Section 12-403-B of the Fresno Municipal Code.

SECTION 5. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the R-R (*County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.



Lots 7, 10 and 15 of Muscatel Estate, recorded in Volume 4, page 67 of Plats, Fresno County Records

EXCEPTING THEREFROM the West half of said Lot 7 and the North Half of the West Half of said Lot 10.

SECTION 6. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the R-R (*County*) zone district to the R-2/UGM (*Low Density Multiple Family Residential /Urban Growth Management*) zone district.

(1) The South 236 feet of the East Half of the property described as follows:

BEGINNING at a point 30 feet West and 2609.40 feet South of the Northeast corner of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian; thence North, parallel with the East line of said Section 8, a distance of 944 feet; thence West, parallel with the South line of the Northeast Quarter of said Section 8, a distance of 862.86 feet; thence South, a distance of 944 feet; thence East, a distance of 862.76 feet to the Point of Beginning.

(2) The South 236 feet of the North 708 feet of the East Half of the property described as follows:

BEGINNING at a point 30 feet West and 2609.40 feet South of the Northeast corner of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian; thence North, parallel with the East line of said Section 8, a distance of 944 feet; thence West, parallel with the South line of the Northeast Quarter of said Section 8, a distance of 862.86 feet; thence South, a distance of 944 feet; thence East, a distance of 862.76 feet to the Point of Beginning.

(3) The South 236 feet of the North 472 feet of the East Half of the property described as follows:

BEGINNING at a point 30 feet West and 2609.40 feet South of the Northeast corner of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian; thence North, parallel with the East line of said Section 8, a distance of 944 feet; thence West, parallel with the South line of the Northeast Quarter of said Section 8, a distance of 862.86 feet; thence South, a distance of 944 feet; thence East, a distance of 862.76 feet to the Point of Beginning.

(4) The North 236 feet of the East Half of the property described as follows:

BEGINNING at a point 30 feet West and 2609.40 feet South of the Northeast corner of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian; thence North, parallel with the East line of said Section 8, a distance of 944 feet; thence West, parallel with the South line of the Northeast



Quarter of said Section 8, a distance of 862.86 feet; thence South, a distance of 944 feet; thence East, a distance of 862.76 feet to the Point of Beginning.

SECTION 7. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the R-R (*County*) zone district to the R-A/UGM (*Single Family Residential-Agricultural /Urban Growth Management*) zone district.

(1) The West Half of the property described as follows:

BEGINNING at a point 30 feet West and 2609.40 feet South of the Northeast corner of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian; thence North, parallel with the East line of said Section 8, a distance of 944 feet; thence West, parallel with the South line of the Northeast Quarter of said Section 8, a distance of 862.86 feet; thence South, a distance of 944 feet; thence East, a distance of 862.76 feet to the Point of Beginning.

(2) The East Half of the property described as follows:

Beginning at the Northeast corner of Section 8, Township 13 South Range 19 East, Mount Diablo Base and Meridian, thence South along the East line of said Section 8, a distance of 1665.40 feet; thence West, a distance of 892.86 feet to the TRUE POINT OF BEGINNING; thence West, a distance of 862.86 feet; thence South, a distance of 944 feet to the intersection with a line parallel with and 30 feet North of the South line of the Northeast Quarter of said Section 8; thence East, parallel with said South line, a distance of 862.76 feet; thence North, a distance of 944 feet to the TRUE POINT OF BEGINNING.

SECTION 8. This ordinance shall become effective and in full force and effect at 12:01a.m.

On the thirty-first day after its passage and upon annexation of the subject property into the City of Fresno.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 18th day of September, 2007, by the following vote:

Ayes: Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea
Noes: None
Absent: None
Abstain: None

REBECCA E. KLISCH
City Clerk

By *Rebecca Klisch*

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By *John W. Fox*
John Fox, Deputy City Attorney

9/11/2007

Rezone Application No. R-05-94
Filed by Granville Homes, Inc.
Assessor's Parcel No. 505-040-13, 17, 18, 19,
20, 21, 33, 34, 70, 71

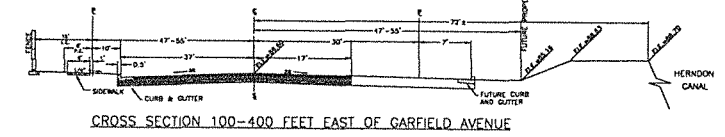
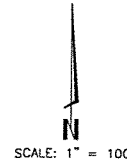
TENTATIVE SUBDIVISION MAP TRACT No. 5597

A PLANNED DEVELOPMENT
A VESTING MAP
A PHASED MAP
APN 505-040-13,21,70,71
GROSS AREA = 44.09 ACRES
NET AREA = 41.45 ACRES

- IMPROVEMENTS TO BE INSTALLED:**
- STREETS - CITY OF FRESNO STANDARDS
 - SEWER - CITY OF FRESNO STANDARDS
 - WATER - CITY OF FRESNO STANDARDS
 - CURB & GUTTER - CITY OF FRESNO STANDARDS
 - SIDEWALK - CITY OF FRESNO STANDARDS
 - STREET LIGHTS - CITY OF FRESNO STANDARDS
 - DRAINAGE - FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
 - GAS & ELECTRICITY - PACIFIC GAS & ELECTRIC
 - TELEPHONE - SBC
 - CABLE TELEVISION - COMCAST

NOTES:

- EXISTING ZONING - RR (COUNTY)
- PROPOSED ZONING - R-1/UGM
- THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION SHALL BE OFFERED FOR DEDICATION FOR PUBLIC STREET PURPOSES.
- THERE ARE NO SEWERS, CULVERTS, DUMPSITES OR OTHER UNDERGROUND STRUCTURES WITHIN THIS SUBDIVISION EXCEPT AS SHOWN.
- THERE ARE NO EXISTING AREAS WITHIN THIS SUBDIVISION THAT ARE SUBJECT TO INUNDATION OR STORM WATER OVERFLOW.
- THE SUBDIVISION DESIGN PROVIDES, TO THE EXTENT FEASIBLE, FOR PASSIVE NATURAL HEATING OR COOLING OPPORTUNITIES BY MAXIMIZING NORTH-SOUTH FACING LOTS.
- THERE IS LESS THAN A 6" DIFFERENCE BETWEEN THIS TRACT AND ADJACENT PROPERTIES.
- THERE SHALL BE A 15' LANDSCAPE EASEMENT ALONG THE FRONTAGE OF BARSTOW AVENUE AND GARFIELD AVENUE.
- THERE MAY BE A 8" PUBLIC UTILITY EASEMENT ON THE STREET SIDES OF ALL LOTS THAT SIDE ONTO A LOCAL STREET.
- ▲▲▲▲▲ - INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS.
- EXISTING USE - RURAL RESIDENTIAL AND VACANT
- PIPE - PROPOSED PRIVATE IRRIGATION PIPELINE.
- THERE SHALL BE A 10' PUBLIC UTILITY EASEMENT AND A 1' PEDESTRIAN EASEMENT ALONG THE FRONTAGE OF ALL LOTS ON PUBLIC STREETS.
- THERE ARE 25± SHADE AND FRUIT TREES TO BE REMOVED.
- B.S. = BUILDING SETBACK

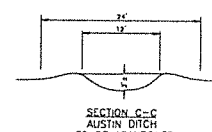
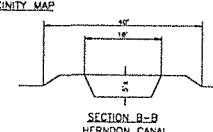
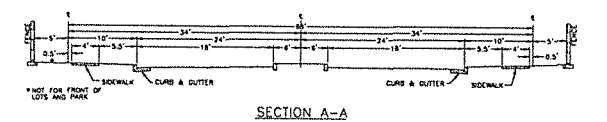
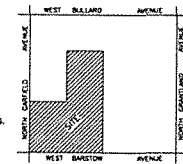
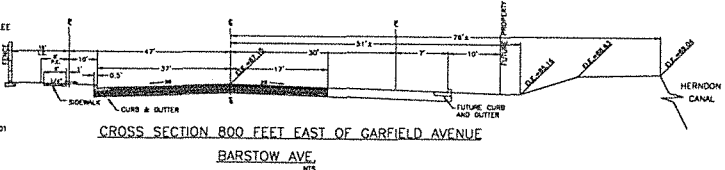


RECORD OWNERS:
J.J. FARUK, INC.
807 JARA
2364 N. WALTON
FRESNO, CA. 93722
(559) 447-3080

THE ROMAN CATHOLIC
BISHOP OF FRESNO, INC.
1520 N. FRESNO ST.
FRESNO, CA. 93703
(559) 488-7400

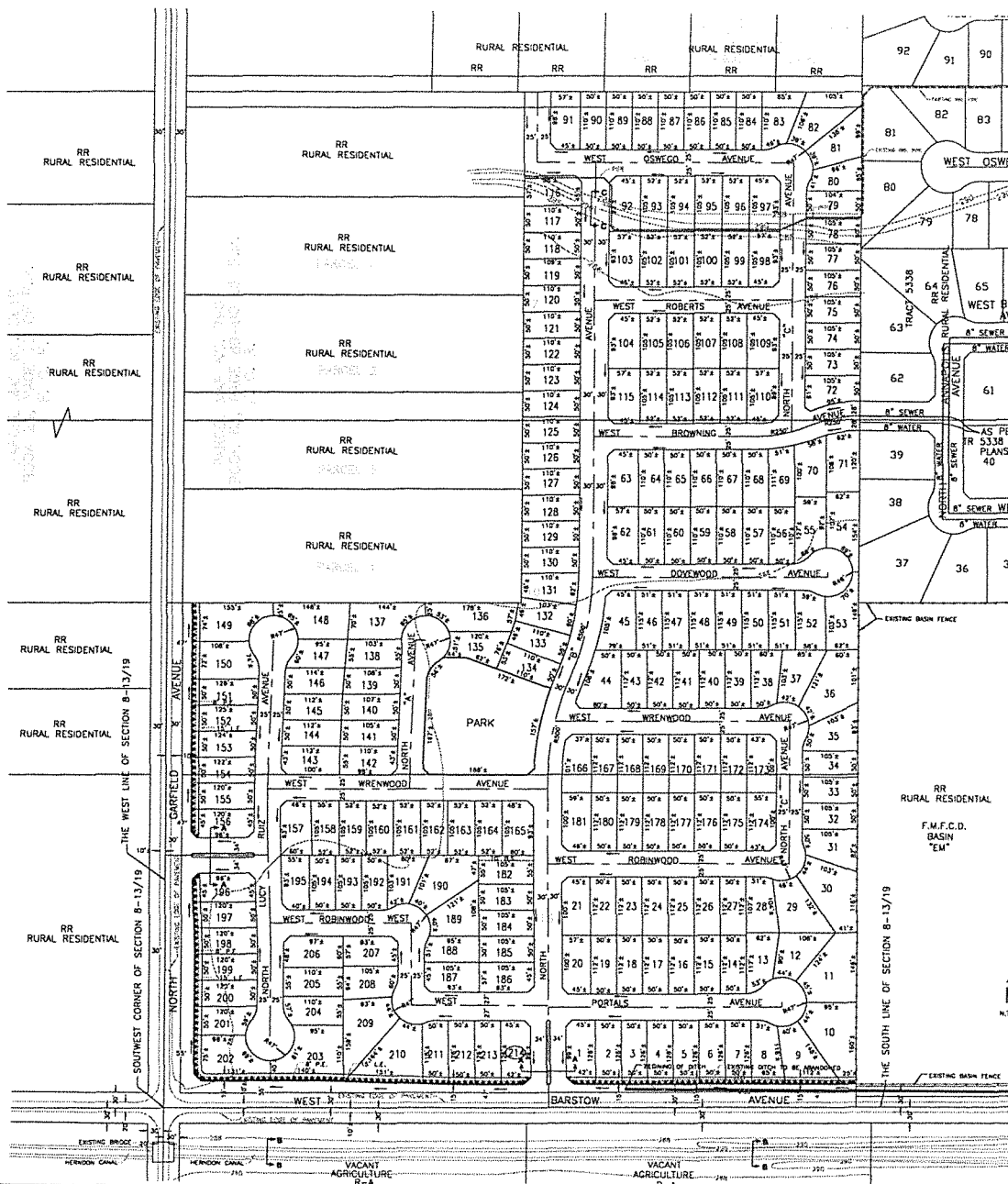
KENNETH K. & JOANNA S. LEE
TONG TOMMY LEE
COR. LEE
MA MOLLY YANG
2363 S. HOKER
FRESNO, CA. 93725

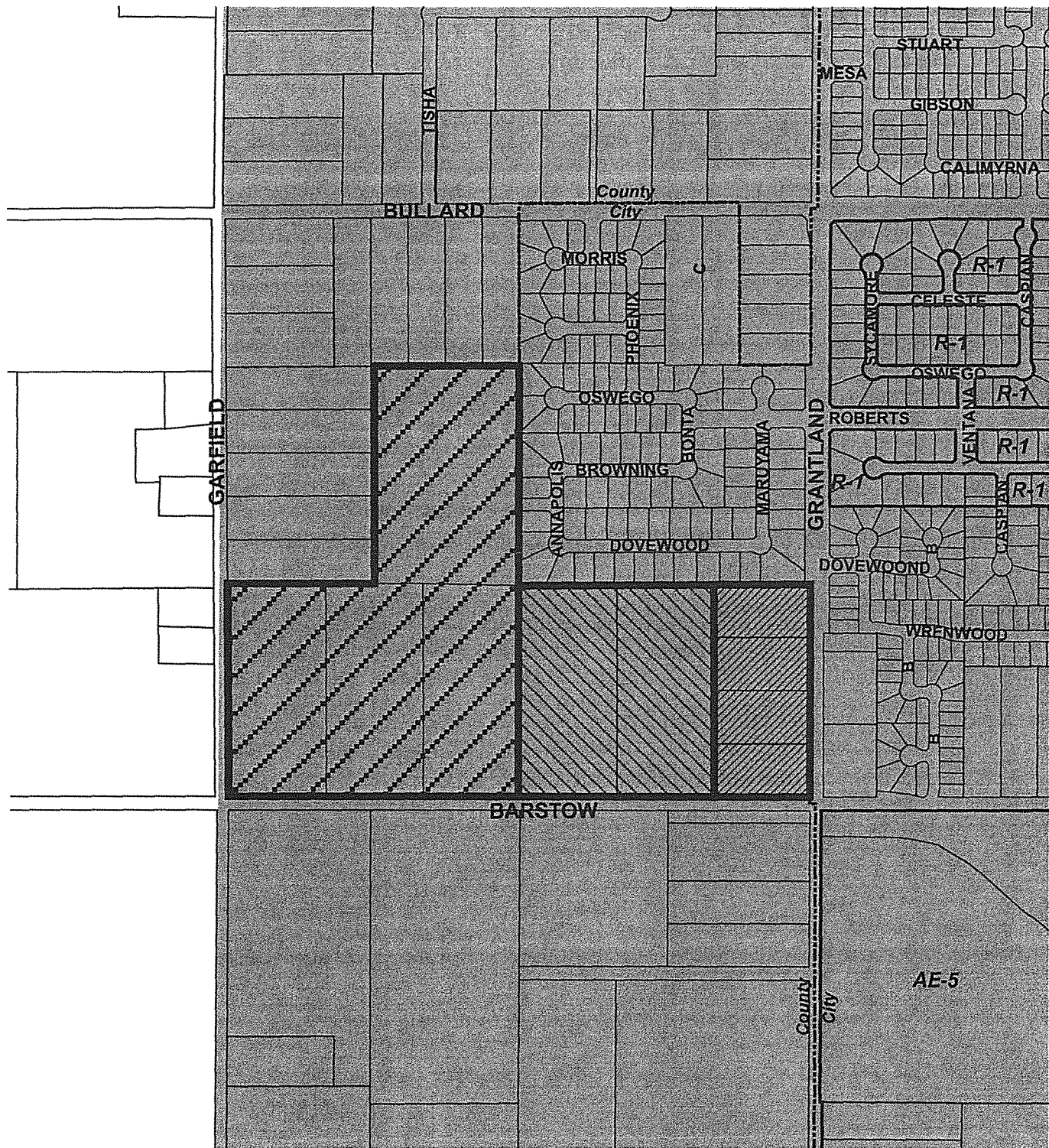
SUBDIVIDER:
GRANVILLE HOMES, INC.
1366 W. HERDON AVE., S/C 101
FRESNO, CA. 93711
(559) 436-0900







PREPARED BY:
GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING
1114 "D" STREET
FRESNO, CA. 93721
(559) 264-2600 FAX (559) 264-0666

DATE PREPARED: 06/18/07 DATE REVISED: 06/25/07





LEGEND

- 
-Subject Property
-Rezone from R-R (County)
to R-1/UGM
-CUP No. C-05-239
-Tract No. 5597/UGM
- 
-Subject Property
-Rezone from R-R (County)
to R-A/UGM
- 
-Subject Property
-Rezone from R-R (County)
to R-2/UGM
- 
UGM Area

VICINITY MAP

VESTING TENTATIVE MAP OF TRACT NO. 5597/UGM
 REZONE APPLICATION NO. R-05-094
 From R-R (County) to R-A/UGM, R-1/UGM, R-2/UGM
 CONDITIONAL USE PERMIT NO. C-05-239
 Northwest corner of Barstow and Grantland Aves.



PLANNING & DEVELOPMENT DEPARTMENT

505-040-13,17,18,19ST,
 A.P.N.: 20T,21,33,34,70,71
 ZONE MAP: 1843
 BY/DATE: J.S. / 12-7-06