

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR HIS/HER DESIGNEE TO INITIATE THE PREZONING AND ANNEXATION OF THE "TULARE-PEACH NO. 3 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

WHEREAS, Annexation Application No. P19-06059 has been filed with the City of Fresno by Nick Yovino, Jr., on behalf of TEF Group, Inc., pertaining to ±8.48 acres of property located at the southwest corner of the intersection of East Tulare Street and South Peach Avenue within the unincorporated portion of City's Sphere of Influence boundary; and

WHEREAS, Annexation Application No. P19-06059 proposes to initiate annexation proceedings to request a change of organization ("Tulare-Peach No. 3 Reorganization") resulting in an annexation to the City of Fresno and detachment from the Kings River Conservation District and the Fresno County Fire Protection District, of certain property consisting of ±8.48 acres and hereinafter called "subject territory;" and

WHEREAS, LAFCO requires that the subject territory be pre-zoned consistent with the City of Fresno General Plan ("General Plan") prior to the initiation of annexation proceeding; and

WHEREAS, it has been determined that pre-zoning the subject territory with the City of Fresno RM-2 (*Multi-Family Residential, Urban Neighborhood*), City of Fresno RS-5 (*Residential Single Family, Medium Density*), and City of Fresno CMS (*Commercial – Main Street*) zone districts is consistent with the General Plan; and

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:



Resolution No.

WHEREAS, the annexation will be made pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contained in Division 3 of Title 5 commencing with Section 56000 of the California Government Code; and

WHEREAS, this proposal is within the established sphere of influence of the City of Fresno; and

WHEREAS, the proposed reorganization is inhabited under the definition of Section 56046 of the California Government Code; and

WHEREAS, municipal services for the subject territory will be provided in a manner described in the Service Delivery Plan pursuant to the requirements set forth in Government Code Section 56653; and

WHEREAS, the proposed annexation complies with the terms and standards of the 2003 Memorandum of Understanding ("2003 MOU") between the City of Fresno and the County of Fresno approved January 6, 2003; and

WHEREAS, pursuant to the 2003 MOU, notification of the intention to file the proposed annexation will be made to the County of Fresno and the City will request that the County of Fresno determine that the proposed reorganization is consistent with the standards of annexation of the 2003 Memorandum; and

WHEREAS, this proposed reorganization will result in logical growth, the provision of municipal services, and the application of appropriate development standards and controls within the City of Fresno, and implements the Council's policy to unify the metropolitan area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council finds the proposed Tulare-Peach No. 3 Reorganization to be consistent with the standards of annexation in the 2003 MOU.

2. The Council initiates a pre-zone of the subject territory from the Fresno County RA NB (*Single Family Residential Agriculture / Neighborhood Beautification*), Fresno County R2 NB (*Low Density Multiple Family Residential*), Fresno County AL20 (*Limited Agriculture*), and Fresno County C1 (*Neighborhood Shopping Center*) zone districts to the City of Fresno RM-2 (*Multi-Family Residential, Urban Neighborhood*), City of Fresno RS-5 (*Single Family Residential, Medium Density*), and City of Fresno CMS (*Commercial – Main Street*) zone districts, as depicted in Exhibit “A”, and including the necessary environmental review pursuant to the California Environmental Quality Act.

3. Council authorizes the City Manager or his/her designee to sign and submit a complete application to LAFCo for the proposed Reorganization requesting the annexation take place in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Council directs staff to take all necessary steps to submit a complete application for the proposed annexation, including preparation and submittal of all LAFCo required forms, documents, and studies and payment of all required fees, including a Fire Transition fee, determined in accordance with the Transition Agreement between the City of Fresno and the Fresno County Fire Protection District Regarding the Transfer of Certain General Ad Valorem Real Property Tax Revenue Generated by Annexations.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 27th day of August, 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC CRM
City Clerk

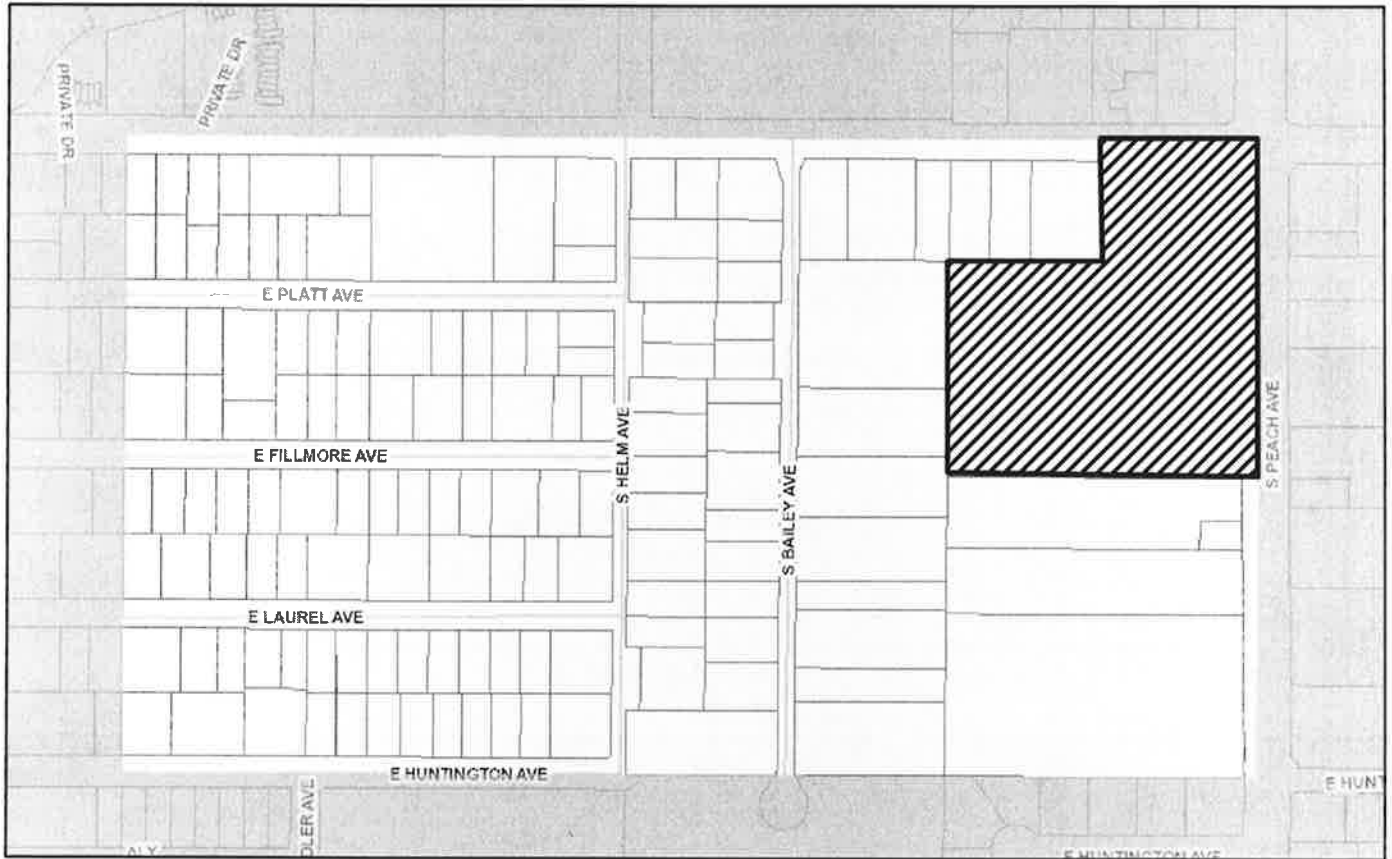
By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Rina Gonzales Date
Deputy City Attorney

Attachment: Exhibit A – Annexation Boundary

Exhibit A



Annexation Application No. P19-06059
APNs: 463-090-10, 11, 27, 28, 29, 43, 57, 59



City Limits



Proposes to initiate annexation proceedings to request a change of organization ("Tulare-Peach No. 3 Reorganization") resulting in an annexation to the City of Fresno and detachment from the Kings River Conservation District and the Fresno County Fire Protection District (± 8.48 acres).

