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Agenda Items: ID#20-001123 (10:15 A.M.)

Date: 9/17/2020

2020 SEP 14 P 4: 54

CITY OF FRESNO  
CITY CLERK'S OFFICE

## FRESNO CITY COUNCIL



### Additional Information

#### Item(s)

**Title:** - CONTINUED HEARING to consider Annexation Application No. P19-02239, Plan Amendment/Rezone Application No. P19-02237, Vesting Tentative Tract Map No. 6234/UGM, and related Environmental Assessment No. T-6234/P19-02237/P19-02239, for property located on the west side of North Hayes Avenue between West Ashlan and West Shields Avenues (Council District 1)

**Contents:** Updated Resolution

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO INITIATE THE PREZONING AND ANNEXATION OF THE "DAKOTA-HAYES NO. 4 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO), SUBJECT TO APPROVAL OF A REVENUE AND TAXATION CODE SECTION 99 TAX SHARING AGREEMENT BETWEEN THE CITY OF FRESNO AND THE COUNTY OF FRESNO.

WHEREAS, Annexation Application No. P19-02239 has been filed with the City of Fresno by Precision Civil Engineering, Inc., on behalf of Edward Fanucchi, pertaining to approximately 230 acres of property located to the northeast of the West Dakota and North Hayes Intersection and to the west of North Hayes Avenue along the Dakota Alignment within the unincorporated portion of City's Sphere of Influence boundary; and

WHEREAS, Annexation Application No. P19-02239 proposes to initiate annexation proceedings to request a change of organization (Dakota-Hayes No. 4 Reorganization) resulting in an annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District, of certain property consisting of approximately 230 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 RS-3/UGM/ANX (*Residential Single Family, Low Density / Urban Growth Management /*

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval 

Resolution No.

*Annexed Rural Residential Transitional Overlay*), RS-5/UGM/ANX (*Residential Single Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*), RM-2/UGM/ANX (*Multi-Family Residential, Urban Neighborhood / Urban Growth Management / Annexed Rural Residential Transitional Overlay*), OS/UGM/ANX (*Open Space/Urban Growth Management/Annexed Rural Residential Transitional Overlay*) and RS-5/UGM (*Residential Single Family, Medium Density/Urban Growth Management*) zone districts is consistent with the General Plan; and

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, 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 initiates a pre-zone of the subject territory from the Fresno County RR (*Rural Residential*) to the City of Fresno RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RS-3/UGM/ANX (*Single Family Residential, Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RS-5/UGM/ANX (*Medium Density Residential, Single Family/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RM-2/UGM/ANX (*Multi-Family Residential, Urban Neighborhood/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), and OS/UGM/ANX (*Open Space/Urban Growth Management/Annexed Rural Residential Overlay*) zone districts, as depicted in Exhibit "A", and including the necessary environmental review pursuant to the California Environmental Quality Act.

2. Subject to approval of a Revenue and Taxation Code Section 99 tax sharing agreement between the City of Fresno and the County of Fresno, the 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 \_\_\_ day of September, 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