

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13671**

The Fresno City Planning Commission, at its regular meeting on August 5, 2020, adopted the following resolution relating to Annexation Application No. P19-06059.

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 on the southwest corner of East Tulare Street and South Peach Avenue; 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 the "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 RM-2 (*Residential Multi-Family, Urban Neighborhood*), RS-5 (*Residential Single-Family, Medium Density*), and CMS (*Commercial – Main Street*) zone districts are consistent with the proposed Fresno General Plan land use designation; 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, a description of the boundaries of the subject territory is set forth in Exhibit A; and,

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

WHEREAS, the proposed reorganization is uninhabited 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, 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; and,

WHEREAS, on August 5, 2020, the Fresno City Planning Commission conducted a public hearing to review the proposed Annexation Application No. P19-06059, as well as the proposed pre-zoning of the subject property in accordance with Pre-zone Application No. P19-06060 and considered the associated Mitigated Negative Declaration prepared for Environmental Assessment No. P19-06059/P19-06060/P19-06061 dated June 5, 2020, received public testimony and considered the Planning and Development Department's report recommending approval of the proposed annexation application and environmental assessment; and,

WHEREAS, the Fresno City Planning Commission has reviewed the environmental assessment prepared for the proposed project, Environmental Assessment No. P19-06059/P19-06060/P19-06061 dated June 5, 2020, and is satisfied that the appropriate measures of development will adequately reduce or alleviate any potential adverse impacts either generated from the proposal, or impacting the proposal from an off-site source, and hereby concurs with the issuance of a Mitigated Negative Declaration; and,

WHEREAS, the Planning Commission reviewed the subject annexation application in accordance with the land use policies of the Fresno General Plan and Roosevelt Community Plan.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines in accordance with its own independent judgment that there is no substantial evidence in the record to indicate that Annexation Application No. P19-06059 may have a significant effect on the environment as identified by, and evaluated within, the Mitigated Negative Declaration prepared for Environmental Assessment No. P19-06059/P19-06060/P19-06061 dated June 5, 2020.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that Annexation Application No. P19-06059, which 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 the "subject territory;" as depicted by the attached Exhibit "A" and described within staff report to the Planning Commission dated August 5, 2020, be approved.

The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Diaz, seconded by Commissioner Criner.

VOTING: Ayes - Diaz, Criner, Hardie, McKenzie, Sodhi-Layne, Vang, Bray
 Noes - None
 Not Voting - None
 Absent - None

PLANNING COMMISSION RESOLUTION No. 13671
Annexation Application No. P19-06059
August 5, 2020
Page 3

DATED: August 5, 2020

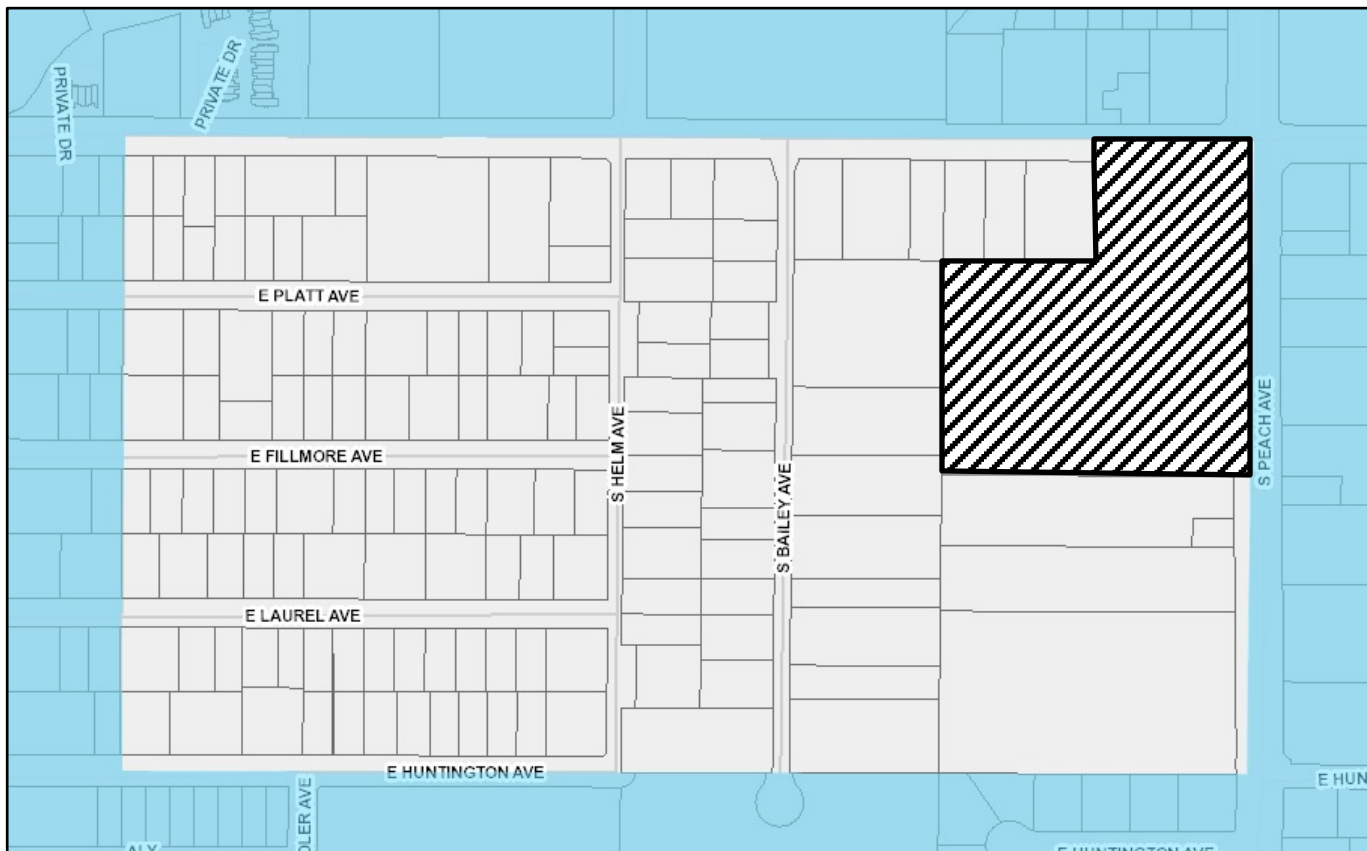


DAN ZACK, Secretary
Fresno City Planning Commission

Resolution No. 13671
Annexation Application No. P19-06059
Nick Yovino, Jr., on behalf of TEF Group, Inc.
Action: Recommend Approval to the City Council

Attachment: Exhibit A


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).