

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF DEVELOPMENT AND RESOURCE MANAGEMENT TO INITIATE THE PREZONING AND ANNEXATION OF THE "GETTYSBURG-BRYAN NO. 1 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

WHEREAS, Annexation Application No. ANX-18-001 has been filed with the City of Fresno by Dennis M. Gaab on behalf of BMCH California, LLC; c/o Century Communities, INC., pertaining to approximately 158 acres of property bounded between West Shaw and West Gettysburg Avenues and between North Bryan and North Haynes Avenues within the unincorporated portion of City's Sphere of Influence boundary; and

WHEREAS, Annexation Application No. ANX-18-001 proposes to initiate annexation proceedings to request a change of organization ("Gettysburg-Bryan No. 1 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 158 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-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RM-2/UGM (*Urban Neighborhood/Urban Growth Management*), RM-3/UGM (*Multi-*

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

*Family Residential, High Density/Urban Growth Management*), and OS/UGM (Open Space/*Urban Growth Management*)) zone districts and the Annexed Rural Residential Transitional (ANX) Overlay District are 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, 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 Gettysburg-Bryan No. 1 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 RR (*Rural Residential—Fresno County*) zone district to the City of Fresno RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RM-2/UGM (*Urban Neighborhood/Urban Growth Management*), RM-3/UGM (*Multi-Family Residential, High Density/Urban Growth Management*), and OS/UGM (*Open Space/Urban Growth Management*) zone districts, as depicted in Exhibit "A", and the ANX overlay district, as depicted in the attached Exhibit "B", 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 North Central 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 17 day of May, 2018.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2018  
Mayor Approval/No Return: \_\_\_\_\_, 2018  
Mayor Veto: \_\_\_\_\_, 2018  
Council Override Vote: \_\_\_\_\_, 2018

YVONNE SPENCE, MMC  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Mary Raterman-Doidge Date  
Senior Deputy

Attachment: Exhibit A – Annexation Boundary  
Exhibit B – ANX Overlay District