City of FRESNO

REPORT TO THE CITY COUNCIL

AGENDA ITEM NO.
COUNCIL MEETING
APPROVED BY
DEPARTMENT DIRECTOR
CITY MANAGER

January 30, 2007

FROM: KEITH BERGTHOLD, Acting Director
Planning and Development Department

BY: GILBERT J. HARO, Planning Manager
Planning Division

SUBJECT: CONSIDERATION OF PROPOSED DAKOTA-CORNELIA NO. 2 REORGANIZATION: RESOLUTION FOR APPROVAL TO FILE WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR THE DETACHMENT OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 50.3 ACRES FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT AND ANNEXATION OF THE SAME TERRITORY TO THE CITY OF FRESNO

KEY RESULT AREA

One Fresno

RECOMMENDATION

The Dakota-Cornelia No. 2 Reorganization proposal meets the Standards for Annexation agreed upon in the 2003 City/County Memorandum of Understanding (MOU) dated January 6, 2003, and there is no substantial evidence that this annexation may have a significant adverse effect on the environment. Therefore, it is recommended that the Council:

1. AFFIRM the action of the City Council of April 18, 2006, adopting the environmental finding for Environmental Assessment No. R-05-40/T-5479 dated November 10, 2005 that the project proposal conforms to the provisions of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130).

2. ADOPT the attached resolution applying to the Fresno Local Agency Formation Commission for the proposed Dakota-Cornelia No. 2 Reorganization.

EXECUTIVE SUMMARY

This is a request by Lafferty Homes, Inc. for the City Council to approve the City's filing of the Dakota-Cornelia No. 2 Reorganization with the Fresno Local Agency Formation Commission (LAFCO). This action would allow for approximately 50.3 acres located on the southeast corner of North Cornelia and West Dakota Avenues to be considered by LAFCO for annexation into the City of Fresno.

On April 18, 2006, the City Council approved Vesting Tentative Tract No. 5479 and Rezone Application No. R-05-40 to allow for the development of a 122-lot single family residential subdivision on approximately 25.3 acres of the subject property. Twelve rural residential parcels consisting of approximately 23 acres were added to the reorganization to provide for a more orderly jurisdictional boundary. The remaining portion of the reorganization consists of public street right of way.

The City and County agree that the proposed annexation meets the standards of annexation in the adopted 2003 City/County Memorandum of Understanding. Staff recommends that the City Council adopt the attached resolution applying to LAFCO for the proposed Dakota-Cornelia No. 2 Reorganization.

KEY OBJECTIVE BALANCE

Council action regarding this proposed annexation application optimizes the three Key Objectives of Customer Satisfaction, Employee Satisfaction, and Financial Management. Affirmative action by the Council will result in timely deliverance of the review and processing of the application as is reasonably expected by the applicant/customer. Prudent financial management is demonstrated by the expeditious completion of this annexation application inasmuch as the applicant/customer has paid to the city a fee for the processing of this application and that fee is, in turn, funding the operations of the Planning and Development Department. Employee satisfaction is derived from the fact that the professional and technical staff, who have reviewed and made a recommendation on this annexation application, have done so in a thorough and professional manner, thereby enhancing the sense of accomplishment in the completion of the application process.

BACKGROUND / ANALYSIS

Staff has received an application from Lafferty Homes, Inc to annex approximately 50.3 acres located on the southeast corner of North Cornelia and West Dakota Avenues. On April 18, 2006 the City Council approved Vesting Tentative Tract No. 5479 and Rezone Application No. R-05-40 on the subject site. These applications would allow for the development of a 122-lot single family residential subdivision on 25.3 acres of the subject property.

The reorganization also includes twelve rural residential parcels consisting of approximately 23 acres to provide for a more orderly jurisdictional boundary. These parcels are predominantly developed with single family residents. It is noted that Lafferty Homes, Inc. has met with the owners of these rural residential parcels and has received consent to the annexation from the majority of these property owners.

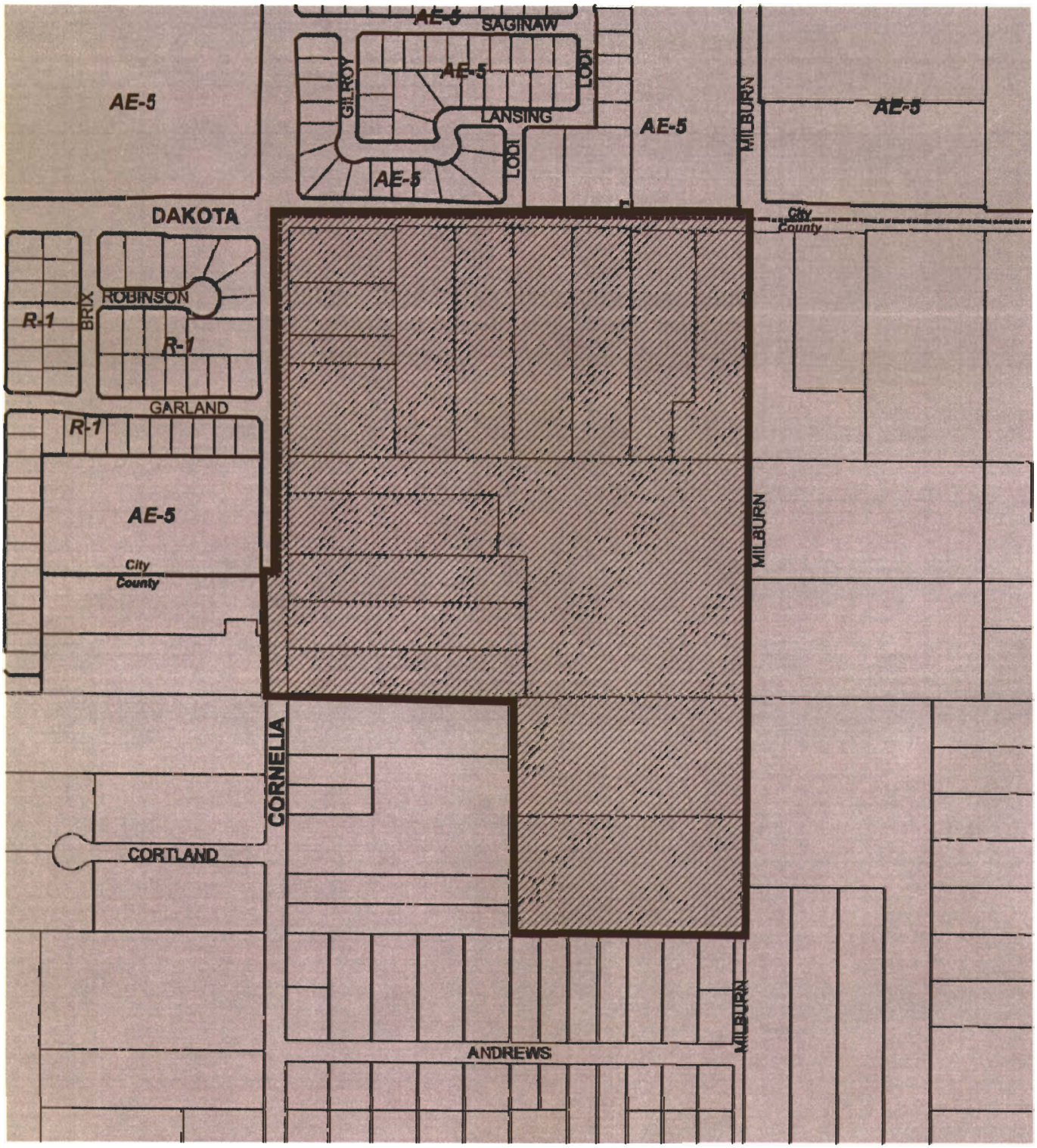
The proposed development is consistent with the existing planned land use of medium low and medium density residential land uses as designated by the 2025 Fresno General Plan and the West Area Community Plan.

The County has indicated in the attached memorandum dated December 19, 2006 that the proposed reorganization complies with the standards for annexation in the 2003 City/County Memorandum of Understanding (MOU).

The proposed reorganization is located within the City of Fresno's Sphere of Influence Boundary and will be contiguous to the City along the site's north and west boundaries. Based on the above information, it is staff's position that the proposed reorganization meets the intent of the Memorandum of Understanding and may be filed with LAFCO for processing.

K:\ANNEXATIONS\Dakota-Cornelia No. 2 CC Report.doc

Attachments:
- Vicinity Map
- Subdivision Map (Vesting Tentative Tract No. 5479)
- Annexation Map (Exhibit A)
- Legal Description
- County of Fresno letter dated December 19, 2006
- Environmental Assessment No. R-05-40/T-5479, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) dated November 10, 2005
- LAFCO Application
- Council Resolution



LEGEND

Subject Property

U.G.M. Area

VICINITY MAP

CORNELIA - DAKOTA
NO. 2 REORGANIZATION

Southeast corner of N. Cornelia and W. Dakota Aves.

NOT TO SCALE

PLANNING & DEVELOPMENT DEPARTMENT

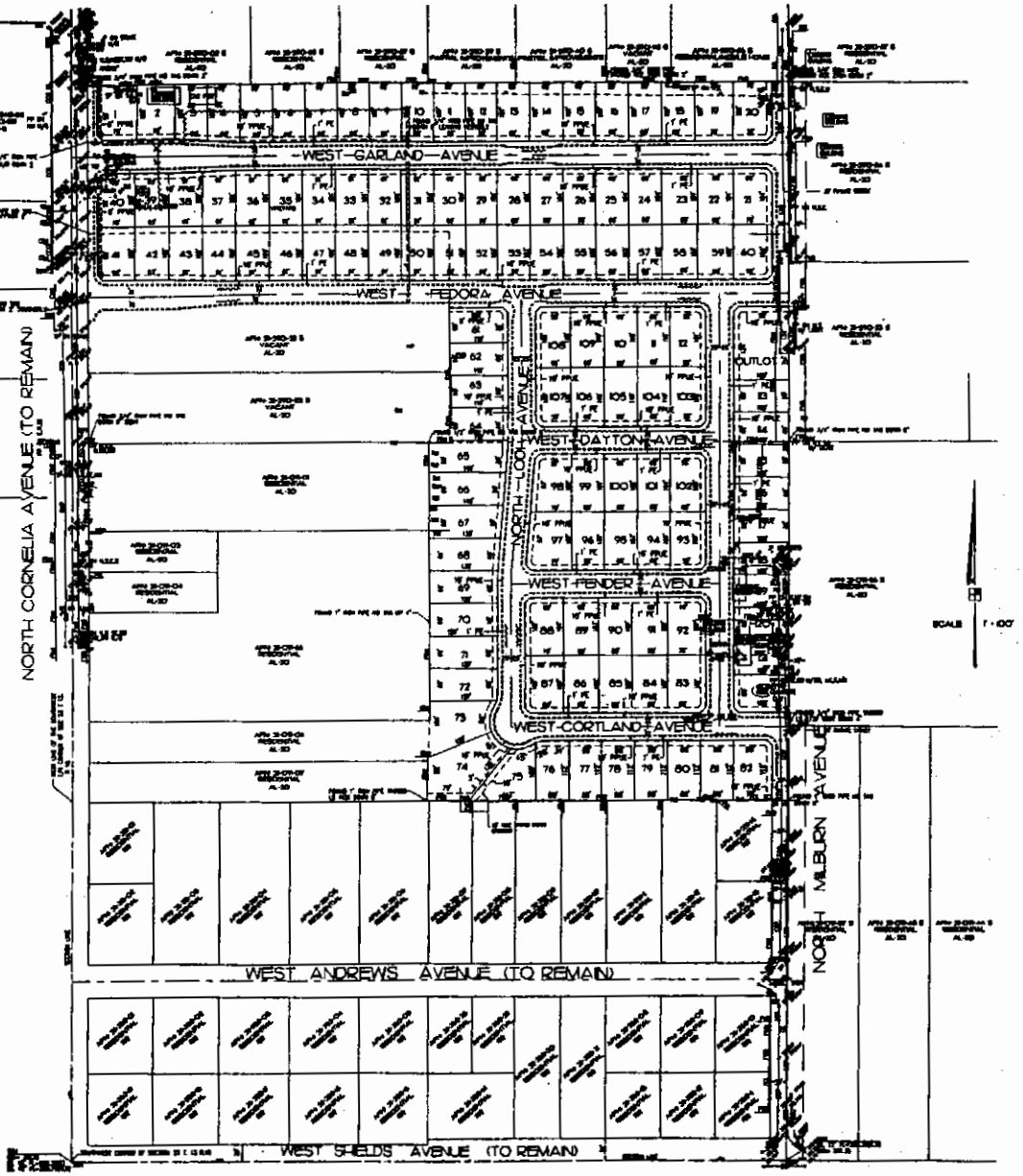
A.P.N.: 311-330-02S,03S,04S,05S,25S,26S, 35S,37S,39S,40S
311-021-08,09,30S,31S,32S,33S,34S

ZONE MAP: 2145

BY/DATE: D.N. / 01-22-07

VESTING TENTATIVE SUBDIVISION MAP
TRACT NO. 5479

IN THE CITY OF FRESNO
FRESNO COUNTY, CALIFORNIA
CONSISTING OF ONE SHEET



NOTES:

1. EXISTING ZONING: AL-20
2. PROPOSED ZONING: R-1/PUD
3. SITE AREA: 39.39 ACRES, GROSS / 33.67 ACRES, NET
4. ASSESSOR'S NOS: 311-300-36, 39, 54 & 311-491-49, 50
5. EXISTING USE: VACANT/AG
6. PROPOSED USE: SINGLE FAMILY DETACHED RESIDENTIAL
7. SOURCE OF WATER: CITY OF FRESNO
8. SOURCE OF SEWAGE DISPOSAL: CITY OF FRESNO
9. UNDERGROUND GAS AND ELECTRICITY: P.G.& E.
10. UNDERGROUND TELEPHONE: SBC/AT&T/VERIZON
11. CABLE TELEVISION: COMCAST
12. THE PROPERTY IS IN FLOOD ZONE "X" PER NO. FLOOD INSURANCE RATE MAP, PANEL NO. 6060C1170H DATED JULY 1, 2002.
13. THE SUBDIVIDER HAS BEEN OFFERED ATM SIZE OF THE LOTS SHOWN IN A SPECIAL TO NORTH DIRECTION TO TAKE ADVANTAGE OF NATURAL HEATING AND COOLING OPPORTUNITIES.
14. PROPOSED SEWER AND WATER CONNECTIONS, CURBS, GUTTERS AND SIDEWALKS ARE TO BE CONSTRUCTED AS REQUIRED BY THE CITY OF FRESNO STANDARD SPECIFICATIONS.
15. ALL STREETS WITHIN THIS SUBDIVISION TO BE OFFERED FOR DEDICATION FOR PUBLIC STREET PURPOSES.
16. ALL EXISTING STRUCTURES, WELLS, SEPTIC TANKS, PERMITS, FENCES, ETC. ON THIS PROPERTY WILL BE REMOVED, EXCEPT AS SHOWN.
17. THERE ARE NO EXISTING DITCHES OR CANALS WITHIN THE LIMITS OF THIS SUBDIVISION.
18. ALL EXISTING OVERHEAD DISTRIBUTION SERVICES TO BE CONVERTED TO UNDERGROUND AT THE SUBDIVIDER'S EXPENSE, EXCEPT 69 KV TRANSMISSION LINES TO REMAIN.
19. PUBLIC UTILITY EASEMENTS TO BE DEDICATED WITH THE FINAL TRACT MAP IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTILITY COMPANY. THE PROPOSED EASEMENTS WILL INCLUDE 10' ON ALL LOT FRONTAGES AND 5' WHERE THEY ARE ON REAR LOTS, EXCEPT UNLESS OTHERWISE.
20. PLANTING EASEMENTS TO BE DEDICATED WITH THE FINAL TRACT MAP IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY PARK DIVISION.
21. NO WATER APPURTENANCES ACROSS EXISTING AND PROPOSED PROPERTY LINES WILL BE ALLOWED PER CITY OF FRESNO REQUIREMENTS.
22. TOTAL NUMBER OF LOTS: 122 LOTS, AND 1 OUTLOT, 4.85 Du/AC
23. ALL EXISTING WELLS ON SITE SHALL BE REMOVED.
24. AAAA DENOTES MINOR OF DIRECT ACCESS

LEGAL DESCRIPTION:

PARCEL 1 AND 2 OF PARCEL MAP NO. 7004, ACCORDING TO SAID MAP RECORDED OCTOBER 29, 1979 IN BOOK 31 PAGE 51 OF PARCEL MAPS, EXCEPTING THEREFROM ALL UNRESERVED 1/2 INTEREST IN AND TO ALL OIL, GAS AND MINERALS AS HERETOFORE RESERVED OF RECORD.

ALSO

THE NORTH 1 YARD FEET OF THE SOUTH 3 YARDS FEET OF THE WEST 3 YARDS FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER MINERALS IN AND UNDER SAID LANDS AS RESERVED IN THE DEED FROM THE STATE OF CALIFORNIA, RECORDED JANUARY 3, 1936 IN BOOK 1,350 PAGE 155 OF OFFICIAL RECORDS, DOCUMENT NO. 37.

ALSO

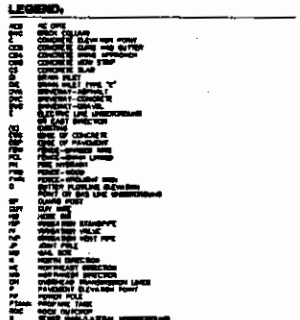
THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THE EASTERLY 30 FEET THEREOF.

ALSO

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA, COUNTY OF FRESNO, STATE OF CALIFORNIA.

LEGEND:



UTILITY INFORMATION:

SEWER AND WATER
CITY OF FRESNO
2600 FRESNO STREET
FRESNO, CALIFORNIA 93721
PHONE: (559) 488-1491

CABLE TELEVISION
COMCAST
5545 NORTH BLYTHE AVENUE, SUITE 101
FRESNO, CALIFORNIA 93722
PHONE: (559) 292-4295 EXT. 4258

GAS AND ELECTRICITY:
PACIFIC GAS AND ELECTRIC COMPANY
5555 E. OLIVE AVENUE, 2ND FLOOR
FRESNO, CALIFORNIA 93727
PHONE: (559) 263-5238

STORM DRAIN
CITY OF FRESNO
2600 E. OLIVE AVENUE
FRESNO, CALIFORNIA 93721
PHONE: (559) 488-1491

TELEPHONE:
SBC/AT&T
2600 FRESNO STREET, RM. 2-105-E
FRESNO, CALIFORNIA 93721
PHONE: (559) 445-3770

SUBDIVIDER:

LAFFERTY HOMES, INC.
5060 SORRENTO PARKWAY, SUITE 300
SAN DIEGO, CALIFORNIA 92121
PHONE: (858) 350-1388

ENGINEER:

INGELS - BRAUN & ASSOCIATES
CIVIL ENGINEERING AND LAND SURVEYING
370 E. ALLUVIAL AVENUE, # 106
CLOVIS, CALIFORNIA 93611
PHONE: (559) 291-5447

RECORD OWNERS:

[illegible]
[illegible]
[illegible]
PHONE: (559) 888-7483

MARY A. DOYLE TRUST
1910 NORTH VALENCIA
FRESNO, CALIFORNIA 93705
PHONE: (559) 266-7483

VICINITY MAP
NOT TO SCALE

RECEIVED
FEB - 9 2006
Planning Division
Development Department
CITY OF FRESNO

REVISIONS

INGELS - BRAUN & ASSOCIATES
CIVIL ENGINEERING AND LAND SURVEYING

VESTING TENTATIVE SUBDIVISION MAP
TRACT NO. 5479

prepared for
LAFFERTY HOMES, INC.
5060 SORRENTO PARKWAY, SUITE 300
SAN DIEGO, CALIFORNIA 92121
(858) 350-1388

drawn by
RDHSD
date
1/10/06
revised
job no.
04-15

LEGEND

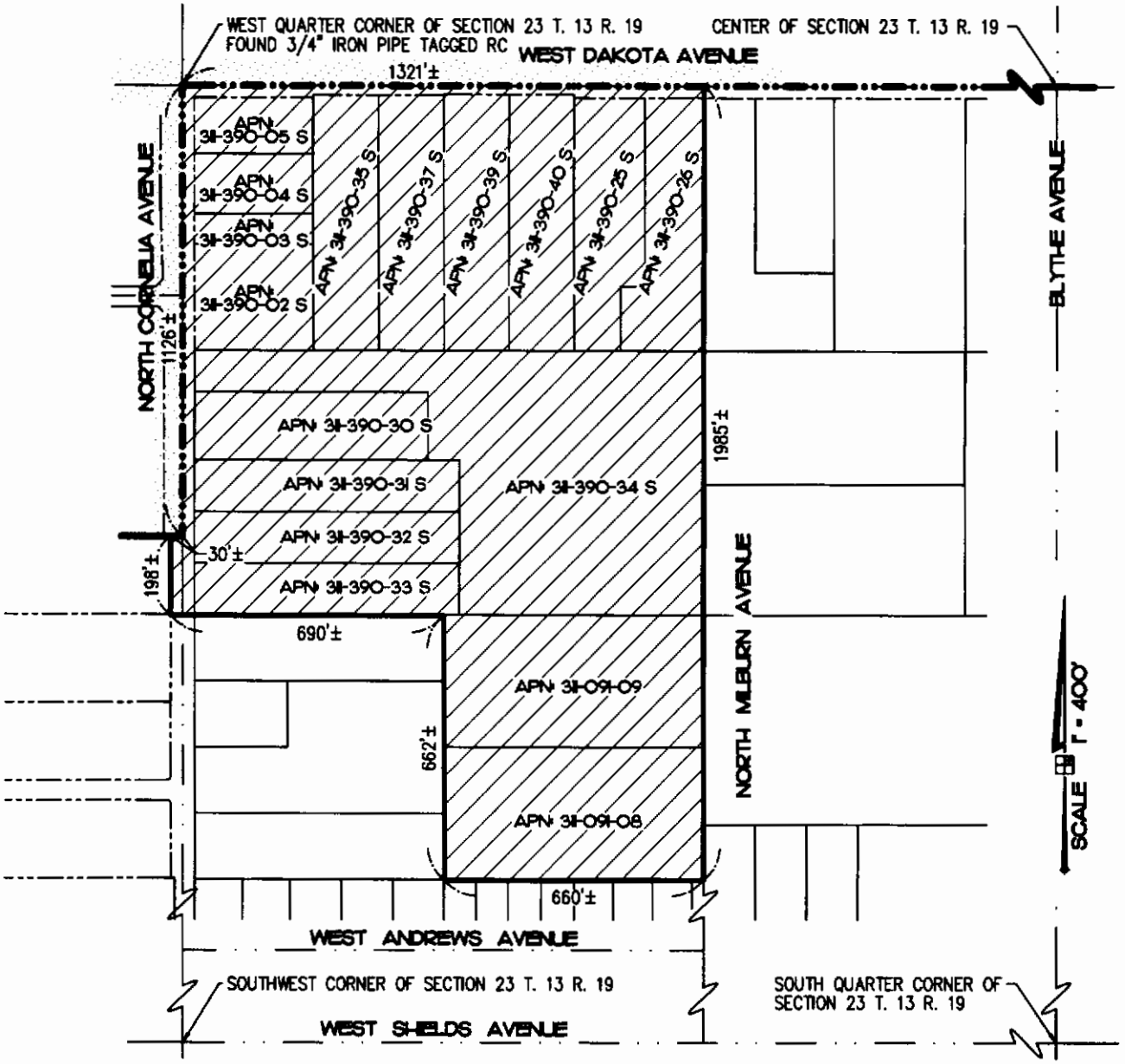
ANNEXATION TO THE CITY OF FRESNO
ACREAGE: 50.28 ACRES

EXISTING BOUNDARY OF THE CITY OF FRESNO

ANNEX XXX

PREPARED BY:

INGELS - BRAUN & ASSOCIATES
CIVIL ENGINEERING AND LAND SURVEYING
5499 EAST HEDGES AVENUE
FRESNO, CALIFORNIA 93727
(559) 291-0427



RESO. NO. _____ ADOPTED: _____

FILE NO.: _____

ANNEX. NO.: _____

ACRES: 50.28

COUNCIL DISTRICT NO.: _____

NORTH CORNELIA-WEST DAKOTA ANNEXIATION

PORTION OF SECTION 23, T. 13 S., R. 19 E. M.D.B.&M.

TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE FRESNO COUNTY

ALLOCATED TO COUNCIL DISTRICT NO. 1 AS PER COUNCIL DISTRICT MAP.

DR. BY:	SN
DATE:	11/14/2006
SCALE:	1" = 400'

REVISED:

C:\My Documents\04112ANX.dwg 11/15/2006 8:22:08 AM PST

November 14, 2006

Legal description for Annexation to the City of Fresno:

Beginning at a point in the center of West Dakota Avenue and North Cornelia Avenue, said point being the Northwest Corner, of the Southwest Quarter, of Section 23, Township 13 South, Range 19 East of the Mount Diablo Base and Meridian, County of Fresno, State of California.

- Thence along the North line of the Southwest Quarter of Section 23, said line being the centerline of West Dakota Avenue S 89°59'54"E a distance of 1321± feet to a point on the centerline and future intersection of North Milburn Avenue,
- Thence Southerly a distance of 1985 ± feet along the future centerline of North Milburn Avenue to the south line of Parcel 311-091-08,
- Thence Westerly a distance of 660 ± feet along the south line of Parcel 311-091-08 to the west line of said parcel,
- Thence Northerly along the west line of Parcels 311-091-08 and 311-091-09 a distance of 662 ± feet to the northwest corner of Parcel 311-091-09,
- Thence Westerly a distance of 690 ± feet along the south line of parcel 311-390-33S, to a point on the west line of North Cornelia Avenue,
- Thence N00°01'40"E a distance of 198± feet along the west side line of North Cornelia Avenue,
- Thence easterly a distance of 30± feet to the west line of Section 23, Township 13, Range 19 of the Mount Diablo Base and Meridian also being the centerline of North Cornelia Avenue,
- Thence N00°01'40"E a distance of 1126± feet along the centerline of North Cornelia Avenue to the West Quarter Corner of Section 23, Township 13, Range 19 of the Mount Diablo Base and Meridian also known as the intersection of North Cornelia Avenue and West Dakota Avenue, the true point of beginning.

CONTAINING 50.28 ACRES PLUS OR MINUS

GM (Dave B) DU 1-9-2007

RECEIVED
JAN 05 2006
BY:

County of Fresno

ADMINISTRATIVE OFFICE
BART BOHN
COUNTY ADMINISTRATIVE OFFICER

RECEIVED
DEC 2 2006
CITY OF FRESNO
City Manager's Office

December 19, 2006

Mr. Andrew T. Souza, City Manager
City of Fresno
2600 Fresno Street
Fresno, CA 93721-3601

Andy,

Dear ~~Mr. Souza~~:

Subject: Notice of Intent to File Dakota-Cornelia No. 2 Annexation/Reorganization

In accordance with Article II, Section 2.2 of the Amended and Restated Memorandum of Understanding between the City of Fresno and the County of Fresno, we have reviewed the annexation proposal described in the Notice of Intent letter from Nick Yovino dated November 17, 2006.

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 Memorandum of Understanding. The subject property is located within the City of Fresno's Sphere of Influence boundary and is contiguous to the City of Fresno's incorporated boundary along the west and north property lines.

It is recommended that the full extent of the existing right-of-way on Cornelia Avenue be included to ensure a more rational boundary.

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

Bart Bohn
County Administrative Officer

G:\4360Devs&Pln\PLANNING\ANNEXATIONS\Cities & Districts\Fresno\2006\Dakota-Cornelia No. 2\Consistency Letter.doc

c: Alan Weaver, Director, Department of Public Works and Planning
Lynn Gorman, Deputy Director of Planning
Bernard Jimenez, Manager, Development Services Division
Will Kettler, Principal Planner, Development Services
Margie McHenry, Senior Planner
Rick Ballantyne, LAFCo Executive Officer
Brandi Orth, Principal Administrative Analyst

CITY OF FRESNO ENVIRONMENTAL ASSESSMENT
FINDING OF CONFORMITY / MEIR NO. 10130

RECEIVED
2005 NOV 10 PM 2:04
CITY CLERK, FRESNO CA

Pursuant to Section 21157.1 of the California Public Resources 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.

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

DATE RECEIVED FOR FILING:
CITY CLERK, FRESNO CA

RECEIVED
2005 NOV 10 PM 2:04
CITY CLERK, FRESNO CA

Applicants:

Lafferty Homes, Inc. (subdivider)
5000 Executive Parkway, Suite 500
San Ramon, CA 94583

Robert & Margaret Dominguez (owners)
511 Burl Ave.
Clovis, CA 93611

Harry & Dorothy Paul (owners)
3125 N. Milburn Ave.
Fresno, CA 93722

Initial Study Prepared By:

Sandra Brock, Planner
November 10, 2005

Environmental Assessment Number:

R-05-40/T-5469

Project Location (including Assessor's Parcel Numbers):

On the east side of North Cornelia Avenue, between West Shields and West Dakota Avenues

APNs 311-390-30, -31,and -34; and 311-091-08 and -09

Project Description:

Rezone Application No. R-04-59 proposes to change the zoning on this 25.35-acre property from AL-20 *(Limited Agricultural District, Twenty Acre Minimum Parcel Size,* Fresno County zoning) to R-1/UGM *(Single Family Residential District/Urban Growth Management Area)*, consistent with the medium and medium-low density residential use designations pertaining to the subject property applied through the 2025 Fresno General Plan and the West Area Community Plan.

Vesting Tentative Tract Map Application No. T-5479/UGM proposes to subdivide the subject property into 124 single family residential parcels and one outlot to preserve existing access to County lots to the north, with concomitant grading and installation of related urban service infrastructure.

Zoning to the R-1/UGM district and development of the proposed subdivision on this property requires annexation to the City of Fresno and detachment from the Kings River Conservation District and the North Central Fire Protection District, actions that are under the jurisdiction of the Fresno County Local Agency Formation Commission.

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

The Planning and Development Department staff has prepared an initial study and environmental checklist and evaluated the requested vesting tentative tract map 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 rezoned for single-family development and developed with housing at an intensity and scale that is permitted by the planned land uses of the site. The 2025 Fresno General Plan and the West Area Community Plan designate this property for medium density (allowing a range of 4.99 to 10.37 dwelling units per acre) and medium-low density (allowing a range of 2.19 to 4.98 units per acre) residential uses. The proposed rezone and vesting tentative tract map will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted

planned land use designations. After dedication of right-of-way for major streets, the remaining net 25.07± acres will be subdivided for residential use at a density of 4.94 dwelling units per acre. Per Fresno Municipal Code Section 12-403-B-2.b(1), this density is consistent with the site's assigned medium and medium-low density land use designations.

With imposition of tract map conditions regarding infrastructure construction, it is not expected that development of the property will adversely impact existing city service systems or the traffic circulation system that serves the subject site. These findings have been verified by the Public Works and Public Utilities Departments. All applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to ensure 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 medium density residential use designation specified for the subject property. The project does not change the land use approved for the subject property, 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 is being 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).

Darrell Unruh
Planning Manager, City of Fresno

11/10/05
Date

Attachments: Environmental Impact Checklist for Environmental Assessment No. R-05-040/T-5479
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment No. R-05-040/T-5479

ENVIRONMENTAL ASSESSMENT CHECKLIST

EA No. R-05-040/T-5479

Potential Environmental Effects

1.0 TOPOGRAPHIC, SOIL, GEOLOGIC
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

2.0 AIR QUALITY
1 2.1 Generates substantial indirect source 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

3.0 WATER
1 3.1 Insufficient groundwater for long-term project use
1 3.2 Uses large quantities of ground water
1 3.3 Wasteful use of water
1 3.4 Pollution of surface water or groundwater supplies
1 3.5 Reduces groundwater recharge

4.0 PLANT LIFE
1 4.1 Reduces numbers of any rare/unique/ endangered species
1 4.2 Reduction in acreage of agricultural crop
1 4.3 Premature or unnecessary conversion of prime agricultural land

5.0 ANIMAL LIFE
1 5.1 Reduces numbers of any rare/unique/ endangered species
1 5.2 Deterioration/displacement of valuable habitat

1 6.0 HUMAN HEALTH/SAFETY--Potential for causing injury//illnesses

7.0 NOISE
1 7.1 Increases existing noise levels
1 7.2 Increases exposure to high noise levels

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

9.0 LAND USE
1 9.1 Incompatible with adopted plans and policies
1 9.2 Accelerates growth rate
1 9.3 Induces unplanned growth
1 9.4 Causes adverse change in existing or planned area characteristics

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, or pedestrians
1 10.4 Routes 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

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 line and treatment 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

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
1 13.1 Obstructs public/ scenic vista or view
1 13.2 Creates aesthetically offensive conditions
1 13.3 Removes street trees or other valuable vegetation
1 13.4 Architecturally incompatible with surrounding area

14.0 CULTURAL/PALEONTOLOGICAL
1 14.1 Removal of historic building, or disruption of archaeological site
1 14.2 Construction or use activity incompatible with adjacent historic site

15.0 ENERGY
1 15.1 Uses substantial amounts of fuel or energy
1 15.2 Substantial increase in demand upon existing sources of energy
1 15.3 Wasteful use of energy

Explanation of Ratings

"0" Insufficient Information

Insufficient information is available for this category and project to determine the potential environmental effects which may result from the proposed project.

"1" No Significant Environmental Effect

In this category, the proposed project will not have an adverse environmental effect, 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 project under consideration.

"2" Moderate Environmental Effect

In this category, the proposed project could have an adverse environmental effect which is of sufficient magnitude to be of some concern. However, this effect is not substantial enough in itself to require preparation of an Environmental Impact Report, and is mitigable through project changes and conditions.

"3" Significantly Adverse Environmental Effect

The environmental effect identified in this category substantiates in itself, or contributes toward, 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.

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

Project/EA No. R-05-040/T-5479 **Date: November 10, 2005**

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
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.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X					
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.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X
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. 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.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X

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Project/EA No. R-05-040/T-5479 Date: November 10, 2005

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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: 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. 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.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X	X				
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.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X					
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.	Prior to approval or prior to funding of major street project.	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X					
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.	Ongoing	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X				X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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. a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals. 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. 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. 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.	Ongoing	Planning and Development Department	X				X	
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: a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions. b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit. 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. 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.	Ongoing	Fresno Area Express					X	
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.	Ongoing	Various city departments					X	
D-1. The City shall monitor impacts of land use changes and development project proposals on metropolitan water supply facilities and the groundwater aquifer.	Ongoing	Dept of Public Utilities and Planning and Development Dept					X	

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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	
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				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		X	
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		X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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				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				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				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				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	

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Date: November 10, 2005

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	
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				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				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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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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				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				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. • **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	
L-1. Any construction that occurs as a result of a project shall conform to 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				X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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

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

CITY ANNEXATION APPLICATION
Proposals Initiated by Resolution or Petition
Not In Urban Service Area

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

Rick Ballantyne, Executive Officer
Candie Fleming, Secretary/Commission Clerk

OFFICE USE ONLY:

LAFCo File No.

Date Received

Name of Proposal: Dakota-Cornelia No. 2

Changes of Organization listed in Resolution or Petition: Annexation of approximately 50.3 acres to the City of Fresno and detachment of the same territory from the North Central Fire Protection District and Kings River Conservation District.

Signature of Chief Petitioner or Representative of Initiating Agency — Date

Name: Nick P. Yovino — Address: 2600 Fresno Street, Fresno, California 93721

Title: Planning and Development Director — Phone: (559) 621-8003

Email Address: Nick.Yovino@fresno.gov

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 and Zip Code / Email Address*
Andrew T. Souza, City Manager	2600 Fresno Street, Fresno, California 93721 / Andy.Souza@fresno.gov
Gilbert J. Haro, Planning Manager Planning and Development Department	2600 Fresno Street, Fresno, California 93721 / Gil.Haro@fresno.gov

1. Reasons for Proposal

A. State the reasons for this change, and why the change is proposed at this time.

This site will be adjacent to the City of Fresno along the north and west boundaries. The applicant proposes to develop a portion of the site with a 122-lot single-family residential subdivision.

B. Describe in detail any proposed development:

Development location and acreage: Approximately 50.3 acres located on the southeast corner of North Cornelia and West Dakota Avenues.

Types of uses and number of units: Vesting Tentative Tract Map No. T-5479 has been approved for construction of a 122-lot single-family residential subdivision on approximately 25.3 acres of the subject site.

Project file numbers and status: Rezone No. R-05-40 and Vesting Tentative Tract Map No. T-5479, filed for the annexation site, have been approved by the City of Fresno.

Other details: Eleven rural residential parcels consisting of approximately 23 acres have been added to the reorganization to provide for a more orderly jurisdictional boundary.

If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of this area.

The site is currently undeveloped.

C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.

The site will be contiguous to the existing City of Fresno boundary and the proposed annexation would not create irregular or illogical service delivery boundaries.

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

Approximately 130 acres.

Comment on why the proposed annexation is justified given the amount of vacant land in the City already.

There are a limited number of vacant parcels available for development within the community plan area designated for medium or medium low density residential land uses. Those sites that are properly designated are generally infill or bypassed properties of a relatively small size which are not appropriately sized to accommodate a development at the scale proposed.

2. Information on Proposal Area and Vicinity

A. Current Acreage: 50.3 acres Current No. of Registered Voters: 18

Current Population Est.: 45 Current County Zoning: AL-20

City Zoning Upon Annexation: R-1/UGM

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.

The 25.3-acre subdivision site is currently undeveloped and the eleven rural residential parcels contain single family residences.

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.

As a condition of development, the developer shall execute a "Right-to-Farm" Covenant with the City of Fresno.

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?

NA

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 and medium low density residential land uses.

3. 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.

The cost of any extension of service required due to the proposed development will be borne by the developer.

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).

	Existing	Proposed Change	Date
Domestic Water	Private	City of Fresno	UA
Sewer Collection	Private	City of Fresno	UA
Solid Waste Collection	Private	City of Fresno	UA
Street Lighting	None	City of Fresno	UA
Parks and Recreation	None	City of Fresno	UA
Fire Protection	North Central No. 45	Fresno City Station No. 16	UA
(Station Distance)	2.5 miles	1 miles	UA
Paramedic	Private	None	NA
Police	Sheriff and CHP	City of Fresno	UA
Storm Drainage	FMFCD	None	NA
Elementary School	Steinbeck Elementary	None	NA
Intermediate School	El Capitan Middle School	None	NA

	High School	Central High School	None	NA

4. 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. However, the City of Fresno has adopted a tax override, which does affect the property taxes city-wide. When annexed, this property would be subject to any existing property tax override.

B. If so, give information listed below:

Name of Agency	Bond Tax Rate for Affected Territory	Date of Maturity	General Purpose of Bond

C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation?

NA

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.

Solid Waste – City rates within 5 years.

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.)

Sewer and water connection is required as a condition of approval of the proposed development.

5. 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.

☒ A Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 prepared for the annexation in consultation with LAFCo and other affected agencies 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.

6. Supplementary Maps

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

7. Application Fees

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

8. Political Reform Act Compliance

List of Affected Landowners and Financial Interests.

For all uninhabited proposals, or proposals where land use entitlements have been or may be filed with the city, the names of all landowners, lessees, options to purchase or lease the property, or any other having any ownership or financial interest in the property, must be furnished with the applications. If the interest is a corporation or partnership, list all persons owning more than 10% of the corporation shares or interest in partnership. If a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.
Harry and Dorothy Paul
Robert and Margaret Dominguez
Robert Dominguez and Rhonda Walker
Lisa M. Lepper Trustee
Robert Dominguez
Luis and Esther Rosales

Daniels Family Trust
Joe and Silvana Giovannetti
Michael Joe Giovannetti
Fillippo and Angiolina Gravano
Gail A. Champagne Trustee
Robert A. and Marla D. Aguiar Trustees
Richard L. Sr. and Rosemarie O. Rosales
William M. and Kara C. Warnke
Guy Stockbridge

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).

DEB:lel:\K\Annexations\Dakota-Cornelia 2-LAFCO App

COUNCIL RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPLYING TO THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO) IN THE MATTER OF THE PROPOSED DAKOTA–CORNELIA NO. 2 REORGANIZATION

WHEREAS, this proposed application for annexation is 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, the specific changes of organization requested are 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 50.3 acres and hereinafter called the "subject territory;" and,

WHEREAS, a description of the boundaries of the subject territory is set forth in Exhibit A and the accompanying legal description attached hereto and by this reference are incorporated herein; 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 the City is proposing annexation of the subject territory; 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 proposal complies with the terms and standards of the 2003 Memorandum of Understanding between the City of Fresno and the County of Fresno approved January 6, 2003; and,

WHEREAS, notification of the intention to file this proposal has been made to the County of Fresno; and,

WHEREAS, On December 19, 2006 the County of Fresno determined that the proposed reorganization is consistent with the standards of annexation of the 2003 Memorandum of Understanding between the City of Fresno and the County of Fresno approved January 6, 2003; and,

WHEREAS, on April 18, 2006, the Council considered and reviewed the environmental findings of Environmental Assessment No. R-05-40/T-5479 dated November 10, 2005 for the subject property which previously had resulted in the issuance of a finding that the project conforms to the provisions of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 in accordance with the Guidelines for implementation of the California Environmental Quality Act; 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 that the Council of the City of Fresno finds the proposed Dakota-Cornelia No. 2 Reorganization to be consistent with the Standards of Annexation in the 2003 City/County Memorandum of Understanding dated January 6, 2003.

BE IT FURTHER RESOLVED that the Council of the City of Fresno hereby consents to the annexation of the Dakota-Cornelia No. 2 Reorganization into the City of Fresno.

BE IT FURTHER RESOLVED that the Council of the City of Fresno finds that there is no substantial evidence in the record to indicate that the Dakota-Cornelia No. 2 Reorganization may have a significant adverse effect on the environment and hereby affirms the action of the City Council on April 18, 2006, adopting said Finding of Conformance dated November 10, 2005.

BE IT FURTHER RESOLVED that the Council of the City of Fresno hereby directs staff to complete the application for the herein proposed Dakota-Cornelia No. 2 Reorganization, and that the City Manager or his designee is authorized to sign said application, with appropriate attachments and subject to the submittal to the City of Fresno of the 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, submit same to the Executive Officer of LAFCO requesting that proceedings for the proposed reorganization take place in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

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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 Resolution was adopted by the City Council of the City of Fresno at a regular meeting held on the day of , 2007, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

REBECCA E. KLISCH
City Clerk

By _____

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By _____
(Deputy)

Dakota-Cornelia No. 2 Reorganization

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