



REPORT TO THE CITY COUNCIL

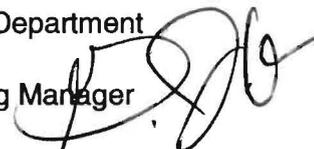
AGENDA ITEM NO.
COUNCIL MEETING

March 25, 2008

FROM: NICK P. YOVINO, Director
Planning and Development Department

APPROVED BY


DEPARTMENT DIRECTOR

BY: GILBERT J. HARO, Planning Manager
Planning Division 

CITY MANAGER

SUBJECT: CONSIDERATION OF PROPOSED CENTRAL-ORANGE NO. 4 REORGANIZATION: RESOLUTION FOR APPROVAL TO FILE WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR THE DETACHMENT OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 176.5 ACRES FROM THE FRESNO COUNTY 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 Central-Orange No. 4 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 July 31, 2007 adopting the environmental finding for Environmental Assessment No. R-07-34 dated May 31, 2007, 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 Central-Orange No. 4 Reorganization.

EXECUTIVE SUMMARY

This is a request by Leland Parnagian for the City Council to approve the City's filing of the Central-Orange No. 4 Reorganization with the Fresno Local Agency Formation Commission (LAFCO). This action would allow for 176.5 acres located on the northwest corner of West Central and South Orange Avenues, to be considered by LAFCO for annexation into the City of Fresno. The subject property would be developed in the future with industrial uses.

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 Central-Orange No. 4 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

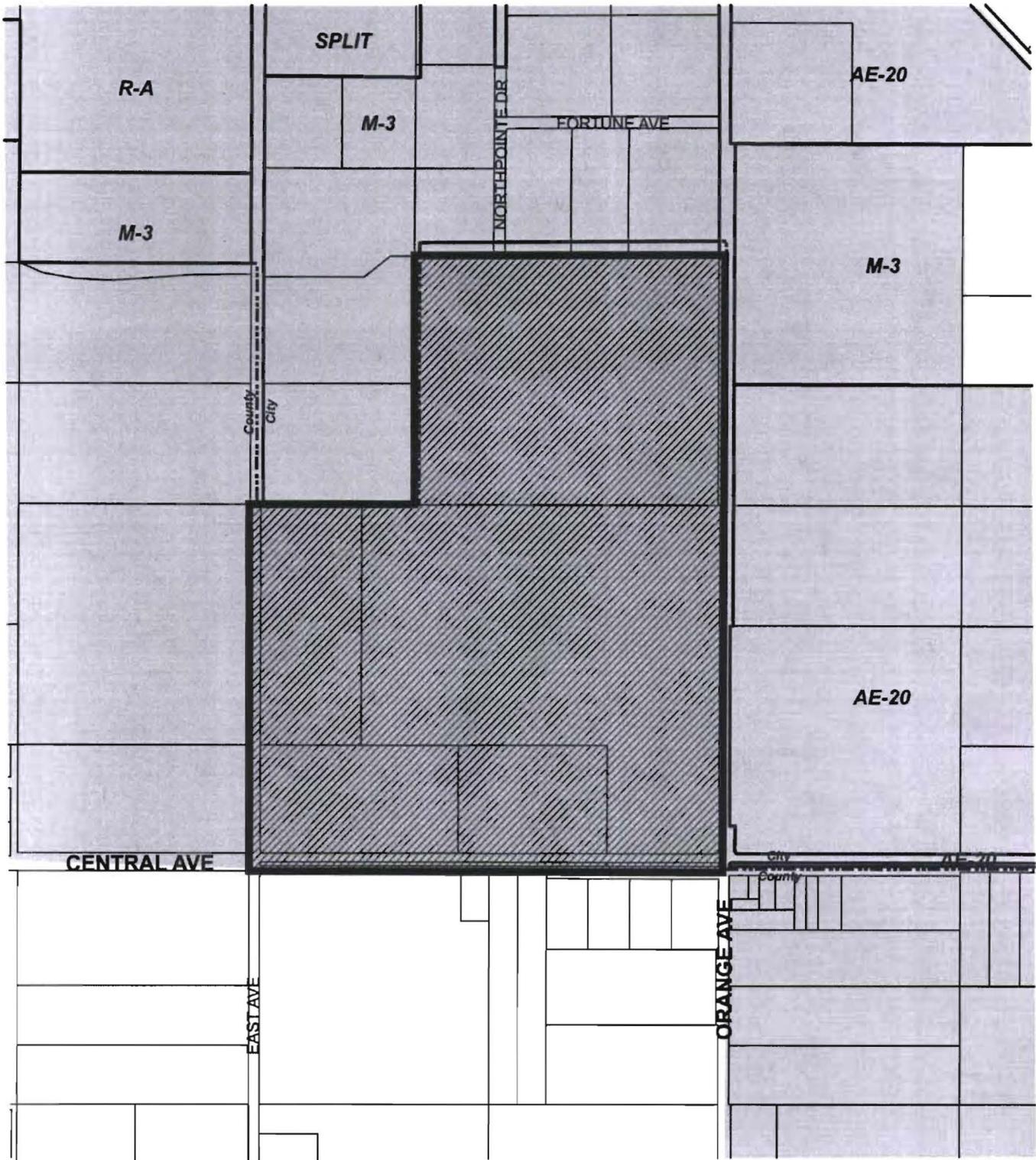
Staff has received an application from Leland Parnigian to annex approximately 176.5 acres located on the northwest corner of West Central and South Orange Avenues. On July 31, 2007 the City Council approved Rezone Application No. R-07-34 for the proposed annexation site, which will allow for the future development of the site with industrial uses under the M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district. The M-3/UGM (*Heavy Industrial/Urban Growth Management*) zoning is consistent with the existing planned heavy industrial land use designation shown for the site on the Roosevelt Community Plan and the 2025 Fresno General Plan. Approximately nine acres of the site was zoned O/UGM (Open Space/Urban Growth Management) for a future ponding basin.

The attached correspondence from Fresno County dated December 27, 2007, indicates that the County finds the proposed reorganization to comply 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 is contiguous to the City along the site's north and easterly 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\Central-Orange No. 4-CC Report.doc

Attachments: Vicinity Map
Annexation Map (Exhibit A)
Legal Description
Conceptual Development Plan
County of Fresno Letter dated December 27, 2007
Environmental Assessment No. R-07-34, Finding of Conformity to the 2025 Fresno
General Plan Master Environmental Impact Report (MEIR No. 10130) dated May
31, 2007
LAFCO Application
Council Resolution



LEGEND



Subject Property



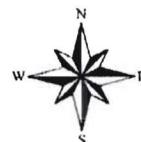
U.G.M. Area

VICINITY MAP

CENTRAL - ORANGE NO. 4
REORGANIZATION

Northwest corner of E. Central Ave. and S. Orange Ave.

**PLANNING & DEVELOPMENT
DEPARTMENT**



NOT TO SCALE

A.P.N.: Sec. 28 and SE Sec. 27

ZONE MAP: 2851

BY/DATE: D.N. / 11-26-07

ORANGE-CENTRAL No. __ REORGANIZATION

Area to be detach from the North Central Fire Protection District and the Kings River Conservation District and Annexed to the City of Fresno.

All those portions of the Northwest quarter of Section 26, the Southwest quarter of Section 26, and the Southeast quarter of Section 27, Township 14 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof, more particularly described as follows: ¶

BEGINNING at the Southeast corner of the Southwest quarter of said Section 26, said Southeast corner also being a point on the existing City Limits line of the City of Fresno;

1) thence leaving said existing line of the City of Fresno Limits, South $89^{\circ}45'00''$ West, along the South line of the Southwest quarter of said Section 26, a distance of 2643.86 feet to the Southwest corner of the Southwest quarter of said Section 26;

2) thence South $89^{\circ}44'16''$ West, along the South line of the Southeast quarter of said Section 27, a distance of 30.00 feet to a point on a line 30.00 feet West of and parallel with the East line of the Southeast quarter of said Section 27;

3) thence North $00^{\circ}01'30''$ East, along said parallel line a distance 1976.83 feet to the intersection of said parallel line with the Westerly prolongation of the South line of the North quarter of the Southwest quarter of said Section 26;

4) thence North $89^{\circ}44'11''$ East, along the Westerly prolongation of the South line of the North quarter of the Southwest quarter of said Section 26, a distance of 30.00 feet to a point on the existing City Limits line of the City of Fresno, said point also being the Southwest corner of the North quarter of the Southwest quarter of said Section 26;

5) thence North $89^{\circ}44'11''$ East, along said existing line of the City of Fresno Limits, said existing limits line also being the South line of the North quarter of the Southwest quarter of said Section 26, a distance of 889.61 feet to the intersection of said South line of the North quarter of the Southwest quarter of said Section 26, with the Southerly prolongation of the West line of the East 1755.04 feet of the Northwest quarter of said Section 26;

6) thence North $00^{\circ}03'15''$ East, continuing along said existing line of the City of Fresno Limits, said existing limits line also being the Southerly prolongation of the West line of the East 1755.04 feet of the Northwest quarter of said Section 26, a distance of 659.02 feet to the intersection of said Southerly prolongation with the South line of the Northwest quarter of said Section 26;

7) thence North 00°03'15" East, continuing along said existing line of the City of Fresno Limits, said existing limits line also being the West line of the East 1755.04 feet of the Northwest quarter of said Section 26, a distance of 702.10 feet to a point on the centerline of the North Central Canal No. 26, said point on the centerline of the North Central Canal No. 26, also being the Southwest corner of Parcel Map No. 96-22, according to the map thereof recorded in Book 66 of Parcel Maps at Pages 46 and 47, Fresno County Records;

8) thence North 89°22'13" East, continuing along said existing line of the City of Fresno Limits, said existing limits line also being the centerline of the North Central Canal No. 26, said centerline of the North Central Canal No. 26, also being the South line of said Parcel Map No. 96-22, a distance of 1755.17 feet to a point on the East line of the Northwest quarter of said Section 26, said point being South 00°03'15" West, a distance of 1922.78 feet from the Northeast corner of the Northwest quarter of said Section 26;

9) thence South 00°03'15" West, continuing along said existing line of the City of Fresno Limits, said existing limits line also being the East line of the Northwest quarter of said Section 26, a distance of 713.18 feet to the Southeast corner of the Northwest quarter of said Section 26;

10) thence South 00°03'00" West, continuing along said existing line of the City of Fresno Limits, said existing limits line also being the East line of the Southwest quarter of said Section 26, a distance of 2636.62 feet to the **POINT OF BEGINNING**.

Containing an area of 176.45 acres more or less.

NORTH POINTE BUSINESS PARK PHASE II – CONCEPTUAL DEVELOPMENT PLAN

Project Overview and Background

Denken Farms, LP proposes to annex to the City of Fresno a +-120 Acre segment of land for the purposes of expanding an existing industrial/business park currently located within the limits of the City of Fresno. The land proposed for annexation is currently within the sphere of influence, and is designated M-3 for Heavy Industrial uses. The land is generally located at the Northwest Corner of Orange Ave and Central Ave and bounded to the North by FID's canal (see Exhibit). It is currently surrounded on three sides by annexed land within the City of Fresno.

It is Denken Farms intent that the proposed development will provide opportunities to for large corporate users, who have historically found it difficult to find large improved annexed parcels, to locate within Fresno increasing the employment base within the community.

Recently, Staff from the City of Fresno joined us as we toured executives and site selectors from Fortune 50 Company around the City in search of a site to locate a 1.5 million square foot fulfillment center. After looking at several sites, Phase II of North Pointe became their preferred location. However, the fact that it is not annexed is concerning to them as they are on an aggressive timeline.

The proposed fulfillment center is approximately 1.5 million square feet in size, with a rectangular shaped floor plan. (see attached preliminary site plans for the approximate warehouse dimensions). The warehouse facilitates both receiving and shipping operations with multiple loading docks for each. Two-story office areas are distributed throughout the shell of the building, equaling approximately 50,000 square feet of the overall footprint, with the second floor office space representing a portion of that area.

The facility will contain a moderate to high level of automated material handling systems and substantial racking and shelving throughout the warehouse. There are three automated pick modules with elevated mezzanine representing approximately 200,000 square feet. The conveyor system is a fully automated system that moves merchandise from each level of the pick modules to an elevated packing mezzanine, then to a sorter and shipped to the guest. The pick and packing mezzanines will be continuously occupied by personnel.

The exterior walls of the facility will be constructed of stained/ painted concrete panels. Architectural reveals and a two-story glass curtain wall will be incorporated into the building's main entrance. The roof will pitch to an external downspout system. The roof construction is a white PVC mechanically fastened membrane over rigid insulation on metal decking and steel bar joists. Inside the warehouse a four-hour rated MFL firewall divides the structure in half to ensure minimum damage in case of a fire. The firewall is

constructed of concrete panels and will project approximately 3'-0" above the main roofline. The overall height of the warehouse is approximately 45' to 50' at the ridge. All exterior doors will have keyed lock accessibility from the exterior of the building. All personnel doors will have panic hardware on the interior for added safety.

Objectives to be Achieved

Upon completion of the proposed fulfillment center, the development will generate up to 400 fulltime jobs and 500 seasonal. Additionally, the group anticipates that an initial \$100 Million investment will be made in the facility. It should be expected that an investment of this size will generate a substantial demand for local goods and services within the area.

Service and Financing Strategy

Water

There are currently three water mains located immediately north of the subject site. Lines will be extended and service will be with the City of Fresno.

Fire and Police

City of Fresno Fire Department currently has an agreement with the County of Fresno that any county land contiguous to the city land will have Fire Protection provided by the City of Fresno Fire Department.

The Fire station is within 3 miles of the proposed site. There are currently three water mains to the north of the property that could be extended throughout the property to the south and are of optimal size for fire suppression.

If annexed the Southwest Policing District will respond to calls for service. The estimated response time for emergency calls for service is less than two minutes.

Sewer

A lift station will be needed to discharge wastewater in the existing sewer main located in Orange Ave to the north.

Power

PG&E has met with the site selectors and see no issues with servicing this site.

Telephone/Data

AT&T has met with the site selectors and see no issues with servicing this site.

Timeline

Site Evaluation – November 2006 – March 2007

Site Selection – April 2007

Entitlements – May 2007

Construction – November 2007

Occupancy – May 2009



RECEIVED

DEC 2 2007

CITY OF FRESNO
City Manager's Office

CC KB
orig.
David Jan 12/28

County of Fresno

ADMINISTRATIVE OFFICE

BART BOHN

COUNTY ADMINISTRATIVE OFFICER

December 27, 2007

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

Dear Mr. Souza:

Subject: Notice of Intent to File Central-Orange No. 4 Reorganization

In accordance with Article II, Section 2.4 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, received on November 29, 2007 and supplemental information subsequently provided.

We have determined that the proposed annexation by the City of Fresno is consistent with the Alternate Standard for Annexation contained in Section 2.4 of Article II of the Memorandum of Understanding. The subject property is located within the City of Fresno's Sphere of Influence and is contiguous to the south and west of the City of Fresno's incorporated boundary. In addition, it is recommended that the full existing rights-of-way along East, Central and Orange Avenues, that have not been annexed, be included in this annexation.

Also, as stipulated in Section 2.4 we request that the City arrange for the annual meeting to review the progress of the project and to identify ways to promote mutual economic development objectives.

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
County Administrative Officer

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- c: Alan Weaver, Director, Department of Public Works and Planning
Lynn Gorman, Deputy Director of Planning
Bernard Jimenez, Manager
Chris Motta, Senior Planner
Charlotte Tilkes, Principal Administrative Analyst
Rick Ballantyne, LAFCo Executive Officer
Dave Braun, City of Fresno, Planner III

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

Pursuant to Section 21157.1 of the California Public Resource 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

DATE RECEIVED FOR FILING:

MAY 31 2007

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

FRESNO COUNTY CLERK
 BY *[Signature]*
 DEPUTY

Applicant:

Leland Parnagian
 8570 South Cedar Avenue
 Fresno, CA 93725

Initial Study Prepared By:

Joan Zuniga
 May 31, 2007

Environmental Assessment Number:

Rezone Application No. R-07-34

Project Location (including APN)

North side of East Central Avenue, between South Cedar and South East Avenues
 (APN: 330-020-03, 08, 23, 31, & 32)

Project Description:

Leland Parnagian, on behalf of Denken Farms, LP has filed a rezone application to reclassify approximately 166 acres of property generally located on the north side of East Central Avenue, and South Orange and South East Avenues from the AE-20 (*Exclusive Twenty Acre Agricultural*) and AL-20 (*Limited Twenty Acre Agricultural*) to the M-3 (*Heavy Industrial*) zone district. Of the 166 acres, approximately 9 acres are designated as open space/ponding basin, thus this will be reclassified to the O (*Open Space*) zone district. The project also includes the detachment of the subject properties from the Kings River Conservation District and the Fresno County Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCo) is the responsible agency.

The property is within the jurisdiction of the Roosevelt Community Plan and the 2025 Fresno General Plan, both of designate the properties for heavy industrial planned land uses, with the exception of one of the parcels which is designated as a ponding basin. There is one home on the site, while the rest is used for agricultural purposes.

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

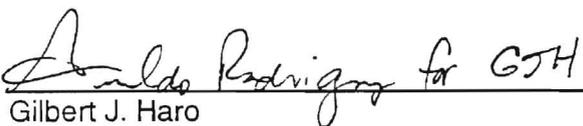
The recently adopted 2025 Fresno General Plan and the Roosevelt Area Community Plan designate the subject site for the heavy industrial and open space planned land uses. The proposed M-3 and O zoning for the subject properties conforms to the existing planned land use designations.

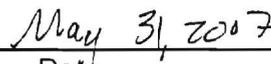
The Planning and Development Department staff has prepared an initial study and environmental checklist and evaluated the proposed rezone application in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master Environmental Impact Report (MEIR) No. 10130. The subject property is currently developed with a single family residence and is surrounded by industrial and agricultural uses. Thus, the rezoning would not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designations. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject parcels. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to assure 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 heavy industrial and open space planned land use designations specified for the subject properties. Based on this initial study, the proposed project does not change the land use indicated for the subject parcels 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 has been 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).


Gilbert J. Haro
Planning Manager, City of Fresno


Date

Attachments: Environmental Checklist/Initial Study for Environmental Assessment No. R-07-34
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment No. R-07-34

ENVIRONMENTAL ASSESSMENT (EA) CHECKLIST
POTENTIAL ENVIRONMENTAL EFFECTS
EA NO. R-07-034

<u>1</u>	1.0	<u>TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS</u>	<u>1</u>	11.0	<u>URBAN SERVICES</u>
<u>1</u>	1.1	Geologic hazards, unstable soil conditions	<u>1</u>	11.1	Availability of fire protection
<u>1</u>	1.2	Adverse change in topography or ground surface relief	<u>1</u>	11.2	Lack of emergency vehicle access
<u>1</u>	1.3	Destruction of unique geologic or physical features	<u>1</u>	11.3	Adequacy of design for crime prevention
<u>1</u>	1.4	Increased water erosion	<u>1</u>	11.4	Overcrowding of school facilities
			<u>1</u>	11.5	Availability of water mains of adequate size
			<u>1</u>	11.6	Availability of sewer lines of adequate capacity
			<u>1</u>	11.7	Availability of storm water drainage facilities (on or off site)
<u>1</u>	2.0	<u>AIR QUALITY</u>	<u>1</u>	11.8	Availability of adequate park and recreation areas
<u>1</u>	2.1	Substantial indirect source of pollution	<u>1</u>	11.9	Unusually high solid waste generation
<u>1</u>	2.2	Direct on-site pollution generation			
<u>1</u>	2.3	Generation of objectionable odors			
<u>1</u>	2.4	Generation of dust except during construction			
<u>1</u>	2.5	Adverse local climatic changes			
			<u>1</u>	12.0	<u>HAZARDS</u>
<u>1</u>	3.0	<u>WATER</u>	<u>1</u>	12.1	Risk of explosion or release of hazardous substances
<u>1</u>	3.1	Insufficient ground water available for long-term project use	<u>1</u>	12.2	Site subject to flooding
<u>1</u>	3.2	Use of large quantities of ground water	<u>1</u>	12.3	Adverse change in course of flow of flood waters
<u>1</u>	3.3	Wasteful use of ground water	<u>1</u>	12.4	Potential hazards from aircraft accidents
<u>1</u>	3.4	Pollution of surface or ground water supplies	<u>1</u>	12.5	Potential hazards from landfill and/or toxic waste sites
<u>1</u>	3.5	Reduction in ground water recharge			
			<u>1</u>	13.0	<u>AESTHETICS</u>
<u>1</u>	4.0	<u>PLANT LIFE</u>	<u>1</u>	13.1	Obstruction to public or scenic vista or view
<u>1</u>	4.1	Reduction of the numbers of any unique, rare or endangered species	<u>1</u>	13.2	Creation of aesthetically offensive conditions
<u>1</u>	4.2	Reduction in acreage of agricultural crop	<u>1</u>	13.3	Removal of street trees or other valuable vegetation
<u>1</u>	4.3	Premature or unnecessary conversion of prime agricultural land	<u>1</u>	13.4	Architectural incompatibility with surrounding area
			<u>1</u>	14.0	<u>HISTORICAL / ARCHAEOLOGICAL</u>
<u>1</u>	5.0	<u>ANIMAL LIFE</u>	<u>1</u>	14.1	Removal of historic building, disruption of archaeological site
<u>1</u>	5.1	Reduction in the numbers of any rare, unique or endangered species	<u>1</u>	14.2	Construction or activity incompatible with adjacent historic site
<u>1</u>	5.2	Deterioration or displacement of valuable wildlife habitat			
			<u>1</u>	15.0	<u>ENERGY</u>
<u>1</u>	6.0	<u>HUMAN HEALTH</u>	<u>1</u>	15.1	Use of substantial amounts of energy or fuel
<u>1</u>	7.0	<u>NOISE</u>	<u>1</u>	15.2	Substantial increase in demand upon existing sources of energy
<u>1</u>	7.1	Increases in existing noise levels	<u>1</u>	15.3	Wasteful use of energy
<u>1</u>	7.2	Exposure to high noise levels			
<u>1</u>	8.0	<u>LIGHT AND GLARE</u>			
<u>1</u>	8.1	Production of glare which will adversely affect residential areas			
<u>1</u>	8.2	Exposure of residences to high levels of glare			
<u>1</u>	9.0	<u>LAND USE</u>			
<u>1</u>	9.1	Incompatibility with adopted plans and policies			
<u>1</u>	9.2	Acceleration of growth rate			
<u>1</u>	9.3	Induces unplanned growth			
<u>1</u>	9.4	Adverse change in existing or planned area characteristics			
<u>1</u>	10.0	<u>TRANSPORTATION AND CIRCULATION</u>			
<u>1</u>	10.1	Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system			
<u>1</u>	10.2	Cumulative increase in traffic on a major street for which capacity deficiencies are projected			
<u>1</u>	10.3	Specific traffic hazard to motorists, bicyclists, pedestrians			
<u>1</u>	10.4	Routing of non-residential traffic through residential area			
<u>1</u>	10.5	Insufficient or poorly located parking			
<u>1</u>	10.6	Substantial increase in rail and/or air traffic			

EXPLANATION OF RATINGS

- "0"** **Insufficient Information**
 Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.
- "1"** **No significant Environmental Effect**
 The proposed project will not have an adverse environmental effect in this category, 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 particular project under consideration.
- "2"** **Moderate Environmental Effect**
 The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be of specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report, and is mitigable through project changes and conditions.
- "3"** **Significant Adverse Environmental Effect**
 The environmental effect identified in this category substantiates in itself or contributes towards 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-07-034

Date: May 31, 2007

Mitigation Monitoring Checklist

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

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

Project/EA No. R-07-034

Date: May 31, 2007

Mitigation Monitoring Checklist

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

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

Project/EA No. R-07-034

Date: May 31, 2007

Mitigation Monitoring Checklist

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

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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		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	
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		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	
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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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	
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
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
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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<p>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.</p>	Ongoing	Dept. of Public Utilities					X	
<p>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.</p>	Ongoing/prior to approval of land use entitlement application	Dept. of Public Utilities and Planning and Development Department					X	X
<p>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.</p>	Ongoing/prior to construction	Dept. of Public Utilities			X			
<p>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.</p>	Ongoing/prior to construction	Fire Dept/Police Dept/ Planning and Development Dept.					X	
<p>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.</p>	Ongoing/prior to construction	Parks and Recreation Dept./Planning and Development Dept.						X
<p>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.</p>	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.					X	
<p>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.</p>	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X

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<p>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 loss 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.</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>						X
<p>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.</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>						X
<p>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).</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>						X
<p>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.</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>						X
<p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Ongoing/prior to approval of land use entitlement application</p>	<p>Planning and Development Dept.</p>						X

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<p>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.</p>	Ongoing/prior to submittal of land use entitlement application	Planning and Development Dept.					X	X
<p>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.</p>	Ongoing	Planning and Development Dept./ Historic Preservation Commission staff					X	X
<p>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.</p>	Ongoing	Planning and Development Dept./ Historic Preservation Staff						X
<p>K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.</p>	Ongoing	Planning and Development Dept.					X	
<p>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.</p> <ul style="list-style-type: none"> • 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	
<p>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.</p>	Ongoing/prior to building permit issuance	Planning and Development Dept.					X	
<p>L-1. Any construction that occurs as a result of a project shall conform with 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.</p>	Ongoing	Planning and Development Dept.					X	

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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

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: Barstow-Grantland No. 3

Changes of Organization listed in Resolution or Petition: Annexation of approximately 176.5 acres to the City of Fresno and detachment of the same territory from the Fresno County Fire Protection District and Kings River Conservation District.

Signature of Chief Petitioner or
Representative of Initiating Agency

Date

Name: Andrew T. Souza

Address: 2600 Fresno Street, Fresno, California 93721

Title: City Manager

Phone: (559) 621-7770

Email Address: Andy.Souza@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 is adjacent to the City of Fresno along the east and north property boundaries. The applicant proposes to develop the site with industrial uses.

B. Describe in detail any proposed development:

Development location and acreage: Approximately 176.5 acres located on the north side of East Central Avenue between South East and South Orange Avenues.

Types of uses and number of units: Proposed future industrial/business park (fulfillment center).

Project file numbers and status: Rezone No. R-07-34, filed on the reorganization site, has been approved by the City of Fresno.

Other details: NA

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 is 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 200 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 properties within the City of Fresno that could accommodate a development at the scale proposed.

2. Information on Proposal Area and Vicinity

A. Current Acreage: 176.5-acres

Current No. of Registered Voters: 2

Current Population Est.: 4

Current County Zoning: AE-20 and AL-20

City Zoning Upon Annexation: M-3/UGM (Heavy Industrial/Urban Growth Management) and O/UGM (Open Space/Urban Growth Management)

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 site is currently undeveloped.

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.

The reorganization site is adjacent to agricultural uses. A right-to-farm covenant will be conditioned as part of development approval.

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?

Heavy Industrial and Open Space (Ponding Basin)

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 applicant.

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).

	<u>Existing</u>	<u>Proposed Change</u>	<u>Date</u>
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	Fresno County No. 87	City Station No. 7	UA
(Station Distance)	4 miles	3 miles	UA
Paramedic	Private	None	NA
Police	Sheriff and CHP	City of Fresno	UA
Storm Drainage	FMFCD	None	NA
Elementary School	Calwa Elementary	None	NA
High School	Roosevelt 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:

<u>Name of Agency</u>	<u>Bond Tax Rate for Affected Territory</u>	<u>Date of Maturity</u>	<u>General Purpose of Bond</u>
-----------------------	---	-------------------------	--------------------------------

- 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 and 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.

Denken Farms

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).

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 CENTRAL-ORANGE NO. 4 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 Fresno County Fire Protection District and the Kings River Conservation District, of certain property consisting of approximately 176.5-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 uninhabited 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 27, 2007, the County of Fresno staff 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, the Council considered and reviewed the environmental finding for Environmental Assessment Nos. R-07-34 dated May 31, 2007 for the subject property, which resulted in the issuance of a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) 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 Central-Orange No. 4 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 Central-Orange No. 4 Reorganization into the City of Fresno.

BE IT FURTHER RESOLVED that the Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that the rezoning may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 ("MEIR") and that no new or additional mitigation measures or alternatives may be required. Pursuant to Public Resources Code, Section 21157.6(b)(1), Council further finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. Accordingly, Environmental Assessment No. R-07-34 dated May 31, 2007 which is a Finding of conformity with the MEIR, is hereby approved.

BE IT FURTHER RESOLVED that the Council of the City of Fresno hereby directs staff to complete the application for the herein proposed Central-Orange No. 4 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 the 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, and 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 _____, 2008, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

REBECCA E. KLISCH
City Clerk

By _____

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By  _____
John Fox, Deputy City Attorney
3/18/2008

Central-Orange No. 4 Reorganization

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