

Fresno Local Agency Formation Commission  
2607 Fresno Street, Suite B  
Fresno, CA 93721 Phone: (559) 600-0604  
[www.fresnolafco.org](http://www.fresnolafco.org)

APPLICATION FOR  
UPDATE/REVISION TO A SPHERE OF INFLUENCE  
APPLICATION

Is Application by City or District Resolution? (Circle One)

Name of Proposal (Name to match title and map and legal description)

\_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ Cell #: \_\_\_\_\_

Email Address: \_\_\_\_\_

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature of Chief Petitioner or  
Representative of Initiating Agency

\_\_\_\_\_  
Date

State law requires each application to include certain specific documents, and to be in the form that the Fresno Local Agency Formation Commission may prescribe (Government Code Section 56652). The Fresno LAFCo requests that each application contain all of the information listed below in order for the proposal to be fairly reviewed and presented.

Upon filing an application, the Executive Officer has 30 days to determine if the application is complete. Upon determination of a complete application, the Executive Officer will issue a Certificate of Filing and will establish a hearing date within 90 days.

Each application, upon its filing, becomes a public document.

In determining the sphere of influence of each local agency, the Commission must consider and prepare a written statement of its determinations with respect to each of the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable needs for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. The present and probable need for public facilities and services of any existing sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection.

Consequently, any other detailed information related to each of these factors may be requested, if not adequately addressed in this application.

**Affected Landowners and Financial Interests/Political Reform Act Compliance**

On a separate sheet labeled “**Attachment A**,” provide the names of all landowners, lessees, any parties with an option to purchase or lease the property, or any other parties having any ownership or financial interest in the property. If the interest is a corporation, LLC, or partnership entity, please list the names of all individuals or entities who are shareholders, members, or partners in the corporation, LLC or partnership. If the corporation has more than 50 fifty shareholders, please provide the names of those individuals or entities owning more than 25% of the corporation’s shares. If the entity is a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.

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).

**Contact/Notification**

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

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## **QUESTIONNAIRE**

On a separate sheet, labeled “**Attachment B**,” please provide numbered responses that correspond to each of the following items.

### **Purpose of Proposal**

1. Why is this proposal being filed? List any related actions for LAFCo approval (e.g. annexation, detachment, etc.). Identify other parts of the overall project (i.e. a tract map or development permit).

### **Description of Area to be Included in the Sphere**

2. List the uses of land in the affected area and acreage of various uses. If in agricultural use, list crops produced over the past three years.
3. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract?
4. What mitigation measures or planning policies are proposed or in effect to maintain the viability of agricultural uses in the proposed SOI revision and on adjacent territory?

### **Relationship to Existing Plans**

5. Does the proposed SOI revision conform to the affected City General and Specific Plans? Explain if not conforming.
6. What is the affected City general plan designation of the proposed SOI revision?
7. What are the County General and Specific Plan land use designations?
8. What quantity of vacant land is already planned for similar use(s) and is now within the agency sphere of influence?
9. Given the current rate of development, approximately how long until these vacant lands will be developed? Show calculations.

### **Proposal Justification**

10. State the justification for this change, and why the change is proposed at this time rather than later or earlier? Describe in detail any proposed development, location, acreage of uses, and number of dwelling units proposed. If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of the area.
11. How does this proposal relate to the Commission’s goals, which encourage a well-planned, orderly, compact urban development pattern, and which encourages new development to be contiguous with existing development?

12. Explain why this proposal is necessary considering other vacant lands already in the agency and existing sphere of influence.
13. What is the justification for the revision boundaries? Include justification for the creation of any irregular boundary.
14. Identify any social or economic communities of interest in the revision area that would show interdependence or interaction with the subject agency and its community.

**Service Information**

15. On “**Attachment C,**” attached, provide the names of departments, other local agencies or companies now providing services and which agency will provide service once territory is annexed. Include the estimated date new service will begin (use “UA”, if upon annexation).
16. Which of the above agencies affected by this proposal have been contacted regarding this proposal and the possible change in service area or responsibility?
17. Indicate below when any service lines to serve the area will be constructed and any other improvements or facilities that are planned for construction that will serve this area. How will they be financed?
18.
  - A. Are any of the existing public service facilities or improvements which will serve the affected territory (i.e. water or sewer lines, fire stations) either below agency standards, or near or beyond their capacity to adequately serve the area?
  - B. If yes, please explain how these improvements/facilities will be upgraded, when and how financed.
19. Describe any pertinent policy or agreement for services that exists among agencies now serving the area or that will be needed to serve the area in the future.
20. Describe the impact on those agencies whose boundaries and/or revenues and service areas will be affected by this proposal, and any signed transition agreement or other consideration given to this impact.
18. SB 244 requires each city and county to identify Disadvantaged Unincorporated Communities (DUC). A DUC is defined as an inhabited territory with an annual median household income that is less than 80 percent of the statewide annual median household income and has at least 15 dwelling units at a density not less than one unit per acre.
  - A. Based on this information, are there any DUCs within 300 feet of the proposed sphere revision?
  - B. If there is a DUC, where is it located in relationship to the proposed sphere revision?
  - C. Has an application for the DUC been submitted to LAFCo in the last five (5) years?
  - D. Has a survey been conducted in both English and Spanish to determine support of annexing the DUC into the City? (if yes, attach proof)

### LEGAL INDEMNITY

Should the Fresno Local Agency Formation Commission ("Fresno LAFCo") be named as a party in any litigation (including a "validation" action under CCP 860 et seq.) or administrative proceeding in connection with the Applicant's proposal, Applicant agrees to indemnify, hold harmless, and promptly reimburse Fresno LAFCo for:

- 1) All reasonable expenses and attorney's fees in connection with the defense of Fresno LAFCo; and
- 2) Any damages, penalties, fines or other costs imposed upon or incurred by Fresno LAFCo, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document, which accompanies it. The Fresno LAFCo Executive Officer may require a deposit of funds sufficient to cover estimated expenses of the litigation. Applicant agrees that Fresno LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse defense costs.

Applicant may be required by Fresno LAFCo to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided for herein.

City or District Application

-or-

Land Owner Petition Application

\_\_\_\_\_  
City or District  
Representative Signature

\_\_\_\_\_  
Land Owner Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Attachment C**

**SERVICE PLAN**

	<b><u>Existing</u></b>	<b><u>Proposed Change</u></b>	<b><u>Date</u></b>
Domestic Water	_____	_____	_____
Sewer Collection	_____	_____	_____
Solid Waste Collection	_____	_____	_____
Street Lighting	_____	_____	_____
Parks and Recreation	_____	_____	_____
Fire Protection	_____	_____	_____
(station distance)	_____	_____	_____
Paramedic	_____	_____	_____
(station distance)	_____	_____	_____
Police	_____	_____	_____
Storm Drainage	_____	_____	_____
Public Transit	_____	_____	_____