

RESOLUTION NO. 2023-61

A RESOLUTION OF APPLICATION BY THE CITY OF VISALIA REQUESTING THE TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR ANNEXATION NO. 2023-03 (AKERS/FERGUSON/LINWOOD COUNTY ISLAND) AND DETACHMENT OF PROPERTY FROM COUNTY SERVICE AREA NO. 1, PERTAINING TO 16 PARCELS TOTALING 35.76 ACRES. THE PARCELS WILL BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL 5,000 SQUARE FOOT MINIMUM SITE AREA) FOR THOSE FOUR PARCELS LOCATED ALONG NORTH AKERS STREET WHILE THE 12 PARCELS LOCATED ALONG NORTH LINWOOD STREET WILL BE ZONED R-1-20 (SINGLE-FAMILY RESIDENTIAL 20,000 SQUARE FOOT MINIMUM SITE AREA) WHICH IS CONSISTENT WITH THE GENERAL PLAN LAND USE DESIGNATIONS OF VERY LOW DENSITY RESIDENTIAL AND LOW DENSITY RESIDENTIAL. THE TWO COUNTY ISLAND AREAS ARE LOCATED ON THE NORTHEAST CORNER OF NORTH AKERS STREET AND WEST FERGUSON AVENUE AND THE WEST SIDE OF NORTH LINWOOD STREET BETWEEN WEST FERGUSON AND WEST DELAWARE AVENUES

**WHEREAS**, Annexation No. 2023-03 is a request by the City of Visalia to annex two County Islands totaling 35.76 acres into the city limits ("Project"). The two County Island areas are located at the northeast corner of North Akers Street and West Ferguson Avenue and the westside of North Ferguson Street between West Ferguson and West Modoc Avenues within the jurisdiction of the County of Tulare (APNs: 077-070-032, 077-070-033, 077-070-039, 077-070-040, 077-070-041, 077-070-042, 077-070-045, 077-070-047, 077-070-066, 077-070-067, 077-070-068, 077-070-069, 077-070-070, 077-070-071, 077-310-016, and 070-310-017); and

**WHEREAS**, the City Council of the City of Visalia desires to initiate proceedings for annexation to said city of territory described on the attached legal descriptions and map herein as Exhibit "A"; and

**WHEREAS**, the City Council of the City of Visalia did hold a noticed public hearing on December 18, 2023; and

**WHEREAS**, the Visalia City Council reviewed the annexation proposal on December 18, 2023, and found it to be consistent with the General Plan; and

**WHEREAS**, the City Council of the City of Visalia desires to annex said property to the City of Visalia for the following reasons: 1) The annexation will contribute to and facilitate orderly growth and development of both the City and the territories proposed to be annexed; 2) will facilitate and contribute to the proper and orderly layout, design and construction of streets, gutters, sanitary and storm sewers and drainage facilities, both

within the City and within the territory proposed to be annexed; and 3) will provide and facilitate proper overall planning and zoning of lands and subdivision of lands in said City and said territory in a manner most conducive of the welfare of said City and said territories; and

**WHEREAS**, this proposal is made pursuant to the Cortese-Knox-Hertzburg Local Government Reorganization Act of 2000, commencing with Section 56000 of the Government Code of the State of California; and

**WHEREAS**, the 16 properties proposed to be annexed, which are part of two County Islands, are completely surrounded by the City Limits; and

**WHEREAS**, the territory proposed to be annexed is inhabited per Government Code Section 56046; and

**WHEREAS**, the territories proposed to be annexed is located in Voting District 1 as identified in the Election District Map adopted by the City Council on February 22, 2022, per Resolution No. 2022-11; and

**WHEREAS**, the City Council hereby makes the following findings with regard to the project:

1. That the Annexation is consistent with the intent of the General Plan and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. The parcels are within the Tier I Urban Development Boundary as defined by the City of Visalia General Plan and is designated Very Low Density Residential and Low Density Residential by the General Plan Land Use Map.
3. That the proposed Annexation changing 21.56-acres of AE-20 (Agricultural Exclusive 20-acre) County zone to R-1-20 (Single-family Residential, 20,000 square foot minimum site area) zone for the 12 parcels located along North Linwood Street and 14.2-acres of AE-20 (Agricultural Exclusive 20-acre) County zone to R-1-5 (Single-family Residential, 5,000 square foot minimum site area) zone for the 4 parcels located along North Akers Street and, will not impose new land uses or development that will adversely affect the subject site or adjacent properties.
4. That the parcel is located within Voting District 1 per the Council Election Voting District Map adopted by the City Council on February 22, 2022, per Resolution No. 2022-11.
5. That the parcel is not located within an Agricultural Preserve.

6. The project is Categorically Exempt pursuant to CEQA Guidelines Section 15061(b)(3) (common sense exemption).

**BE IT RESOLVED** that the Council of the City of Visalia requests the following actions:

1. The potential environmental effects of the proposed annexation have been reviewed and the Environmental Coordinator of the City of Visalia has determined that the proposal falls within the scope of exemptions contained in CEQA Guidelines Section 15061(b)(3) and a Notice of Exemption No. 2023-57 can be filed for the project.
2. Application is hereby made to the Executive Officer of the Local Agency Formation Commission (LAFCO), County of Tulare, State of California, for an annexation of territory legally described and illustrated in the legal description and map attached as Exhibit "A".
3. Proceedings shall be taken for this annexation proposal pursuant to Title 5, Division 3, Part 3 of the California Government Code and other relevant provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
4. In conjunction with the proceedings being taken for this annexation proposal, application is also hereby being made to the Executive Officer of the Local Agency Formation Commission, County of Tulare, State of California, for detachment from County Service Area No. 1.
5. The Council hereby request waiver of the conducting authority proceedings in accordance with Government Code Section 56663(c).
6. Upon annexation, the territory shall be zoned R-1-20 (Single-Family Residential, 20,000 square foot minimum lot area) for the 12 parcels located along North Linwood Street (21.56-acres) and R-1-5 (Single-Family Residential, 5,000 square foot minimum lot area) for the 4 parcels along Akers Street (14.2-acres), consistent with the pre-zoning designated by the General Plan Land Use Map. The City Clerk of the City of Visalia is authorized and directed to file a certified copy of this resolution with the Executive Officer of Tulare County LAFCO.

## Exhibit "A"

### ANNEXATION NO. 2023-03 TO THE CITY OF VISALIA GEOGRAPHIC DESCRIPTION

All that certain real property, situate in the Southeast quarter of the Northwest quarter of Section 23 of Township 18 South, Range 24 East, Mount Diablo Base & Meridian, in the County of Tulare, State of California, described as follows:

BEGINNING at a point on the North line of the Southeast quarter of the Northwest quarter of said Section 23, said point lying 55.00 feet West of the East line of said Northwest quarter, and being a point on the West right-of-way line of Linwood Street, and an angle point in the existing City Limit line of the City of Visalia; thence along said City Limit line the following four (7) courses:

- 1) South  $00^{\circ}00'52''$  West, along a line parallel with and 55.00 feet West of the East line of said Northwest quarter, 1076.79 feet, more or less, to the easterly extension of the North line of Parcel 1 of Parcel Map No. 4598, recorded in Book 47 of Parcel Maps at Page 3, Tulare County Records; thence
- 2) South  $87^{\circ}33'40''$  West, along said easterly extension and continuing along the North line of Parcels 1 and 2 of said Parcel Map No. 4598, a distance of 266.29 feet, more or less, to an angle point in the North line of said Parcel 2; thence
- 3) North  $89^{\circ}07'05''$  West, continuing along the North line of said Parcel 2, a distance of 21.49 feet, more or less, to the Southeast corner of Northgate Estates, according to the map thereof recorded in Volume 40 of Maps at Page 82, Tulare County Records; thence
- 4) North  $00^{\circ}00'52''$  East, along the East line of said Northgate Estates, 426.40 feet, more or less, to the Northeast corner of said Northgate Estates; thence
- 5) North  $89^{\circ}24'13''$  West, along the North line of said Northgate Estates, 971.21 feet, more or less, to the Northwest corner of said Northgate Estates, being a point on the West line of the Southeast quarter of the Northwest quarter of said Section 23; thence
- 6) North  $00^{\circ}00'26''$  East, along said West line, 661.58 feet, more or less, to the Northwest corner of the Southeast quarter of the Northwest quarter of said Section 23; thence
- 7) South  $89^{\circ}31'53''$  East, along the North line of the Southeast quarter of the Northwest quarter of said Section 23, a distance of 1258.82 feet, more or less, to the POINT OF BEGINNING.

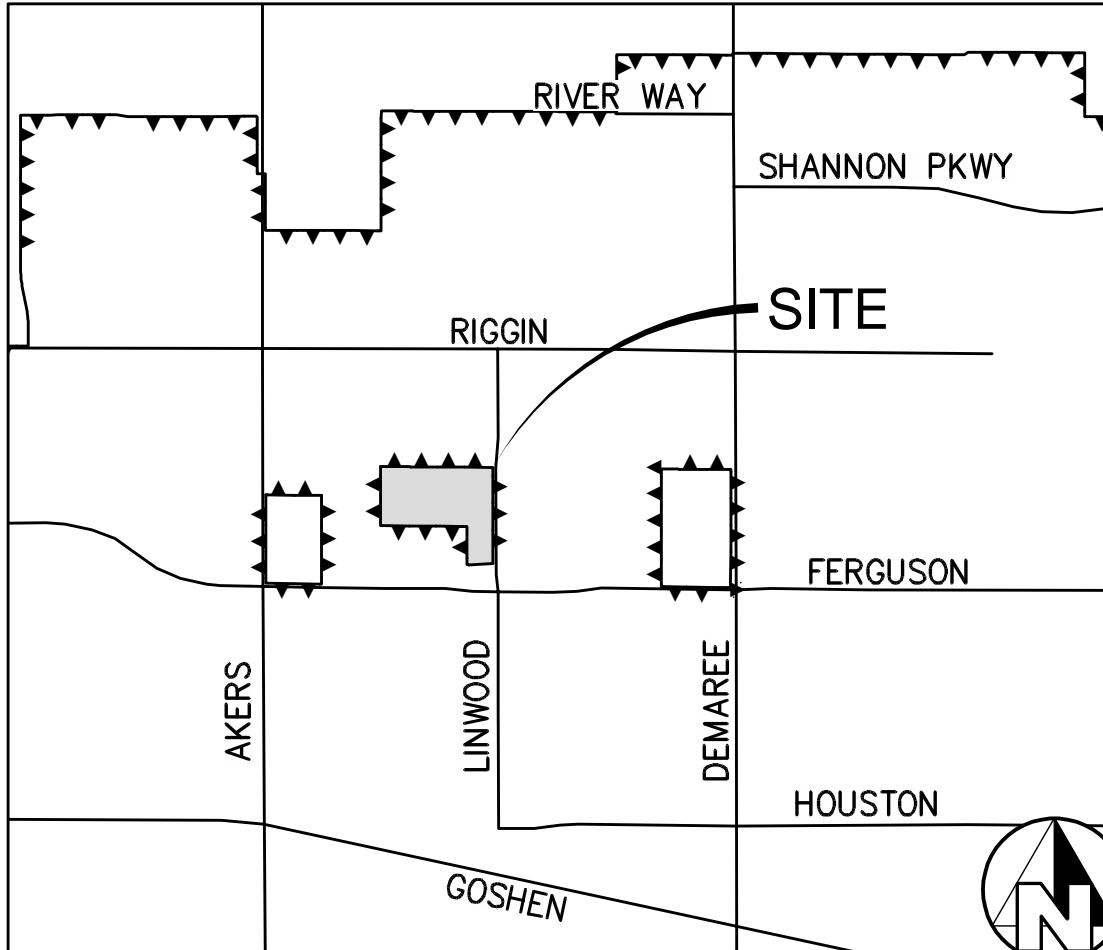
Containing approximately 21.93 acres.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*



# ANNEXATION NO. 2023-03 TO THE CITY OF VISALIA

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 23  
OF TOWNSHIP 18 SOUTH, RANGE 24 EAST,  
MOUNT DIABLO BASE & MERIDIAN, IN THE COUNTY OF TULARE,  
STATE OF CALIFORNIA



## VICINITY MAP

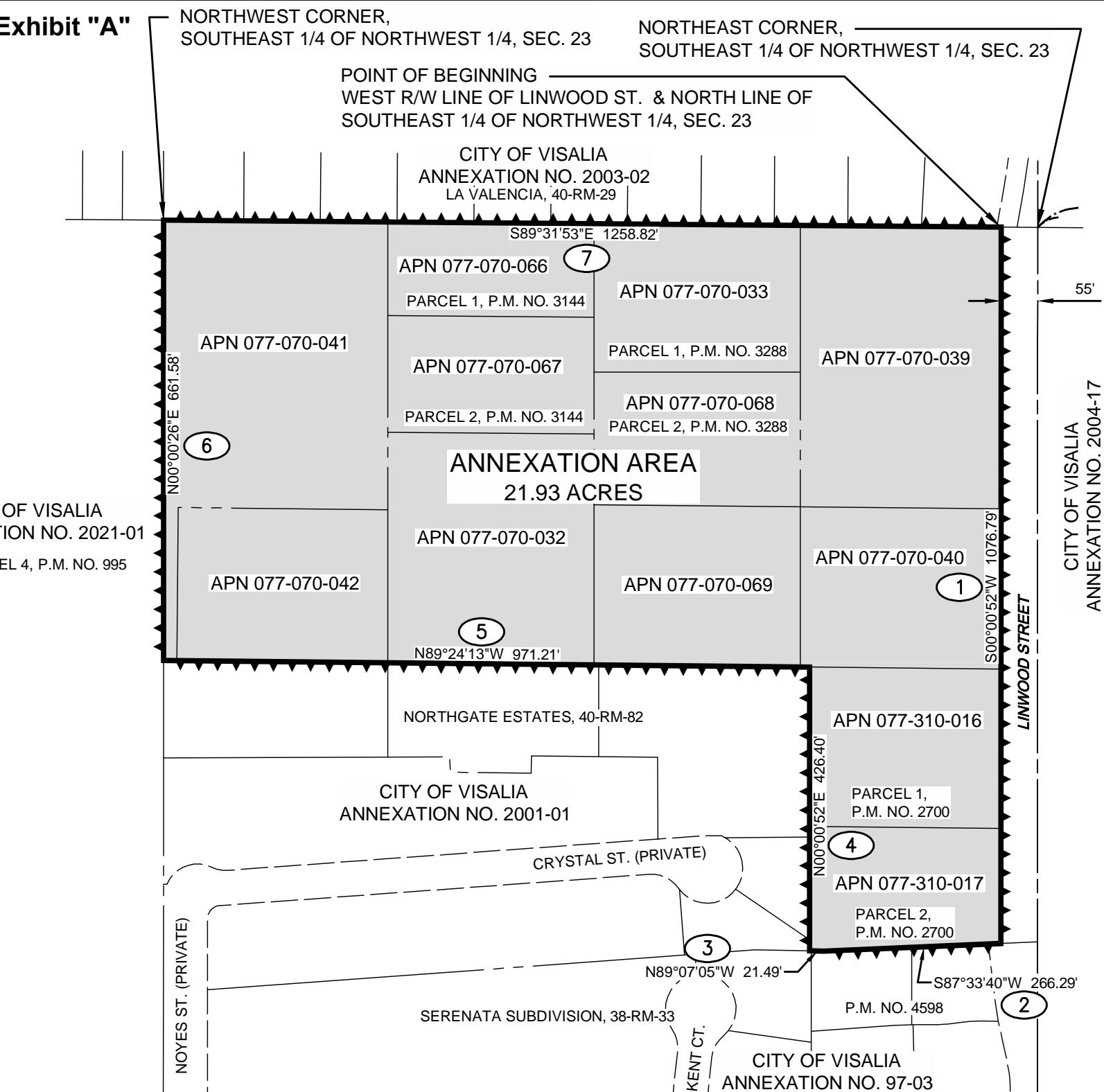
NOT TO SCALE



### LEGEND

- COURSE NUMBER
- EXISTING CITY LIMITS LINE
- PROPOSED ANNEXATION AREA

### Exhibit "A"



## Exhibit "A"

### **ANNEXATION NO. 2023-03 TO THE CITY OF VISALIA GEOGRAPHIC DESCRIPTION**

All that certain real property, situate in the Northwest quarter of Section 23 of Township 18 South, Range 24 East, Mount Diablo Base & Meridian, in the County of Tulare, State of California, described as follows:

BEGINNING at a point on the South line of the Northwest quarter of said Section 23, said point lying 30.00 feet East of the West quarter corner of said Section 23 and being the intersection of the East right-of-way line of Akers Street and the North right-of-way line of Ferguson Avenue, and an angle point in the existing City Limit line of the City of Visalia; thence along said City Limit line the following four (4) courses:

- 1) North  $00^{\circ}00'00''$  East, along a line parallel with and 30.00 feet East of the West line of said Northwest quarter, 988.24 feet, more or less, to the North line of Parcel 3 of Parcel Map No. 995, recorded in Book 10 of Parcel Maps at Page 96, Tulare County Records; thence
- 2) South  $89^{\circ}28'08''$  East, along said North line, 626.90 feet, more or less, to the Northeast corner of said Parcel 3; thence
- 3) South  $00^{\circ}00'13''$  West, along the East line of said Parcel 3 and continuing along the East lines of Parcels 2 and 1 of said Parcel Map No. 995, a distance of 990.30 feet, more or less, to the Southeast corner of said Parcel 1, being a point on the South line of the Northwest quarter of said Section 23; thence
- 4) North  $89^{\circ}16'50''$  West, along said South line, 626.86 feet, more or less, to the POINT OF BEGINNING.

Containing approximately 14.24 acres.

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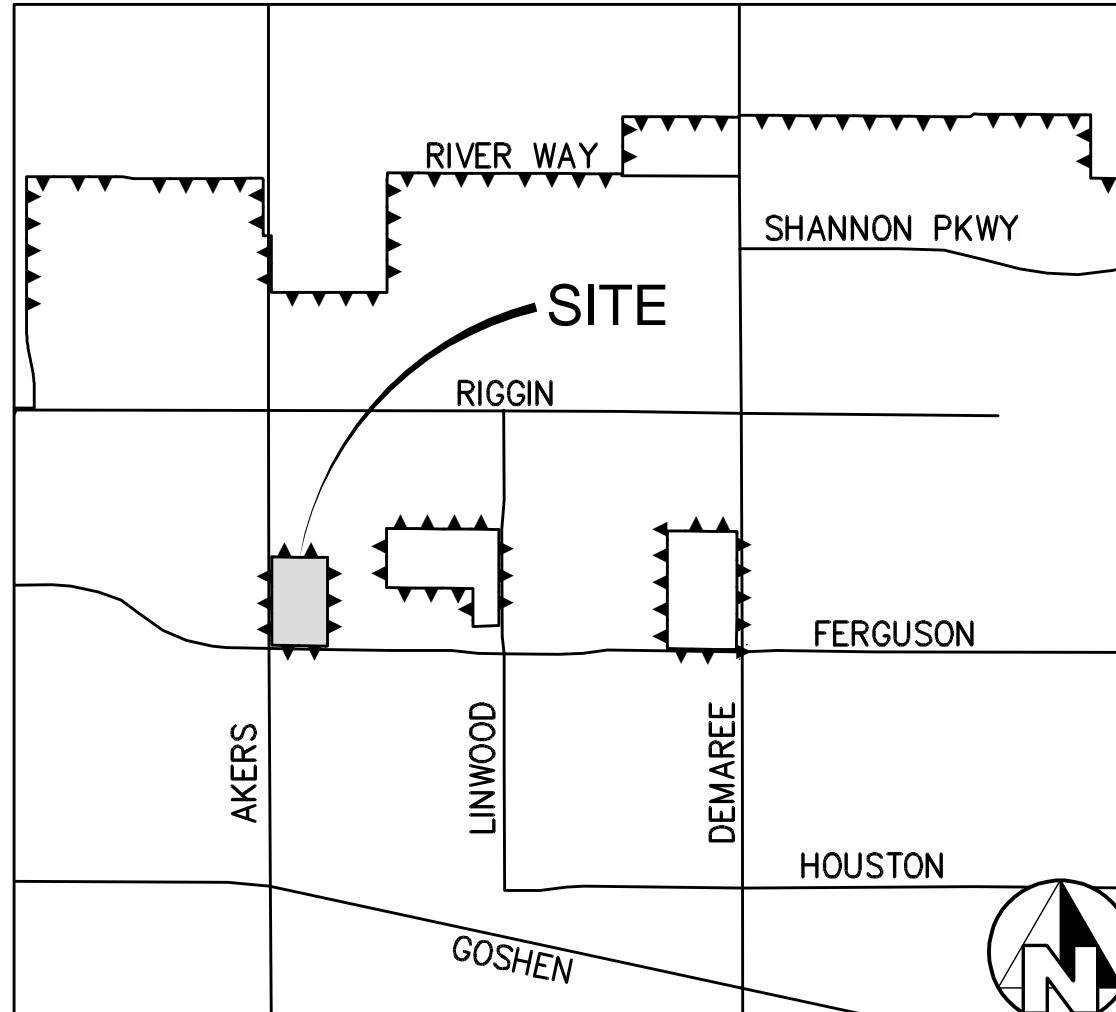


11/1/23

# ANNEXATION NO. 2023-03

## TO THE CITY OF VISALIA

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 23  
OF TOWNSHIP 18 SOUTH, RANGE 24 EAST,  
MOUNT DIABLO BASE & MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA



### VICINITY MAP

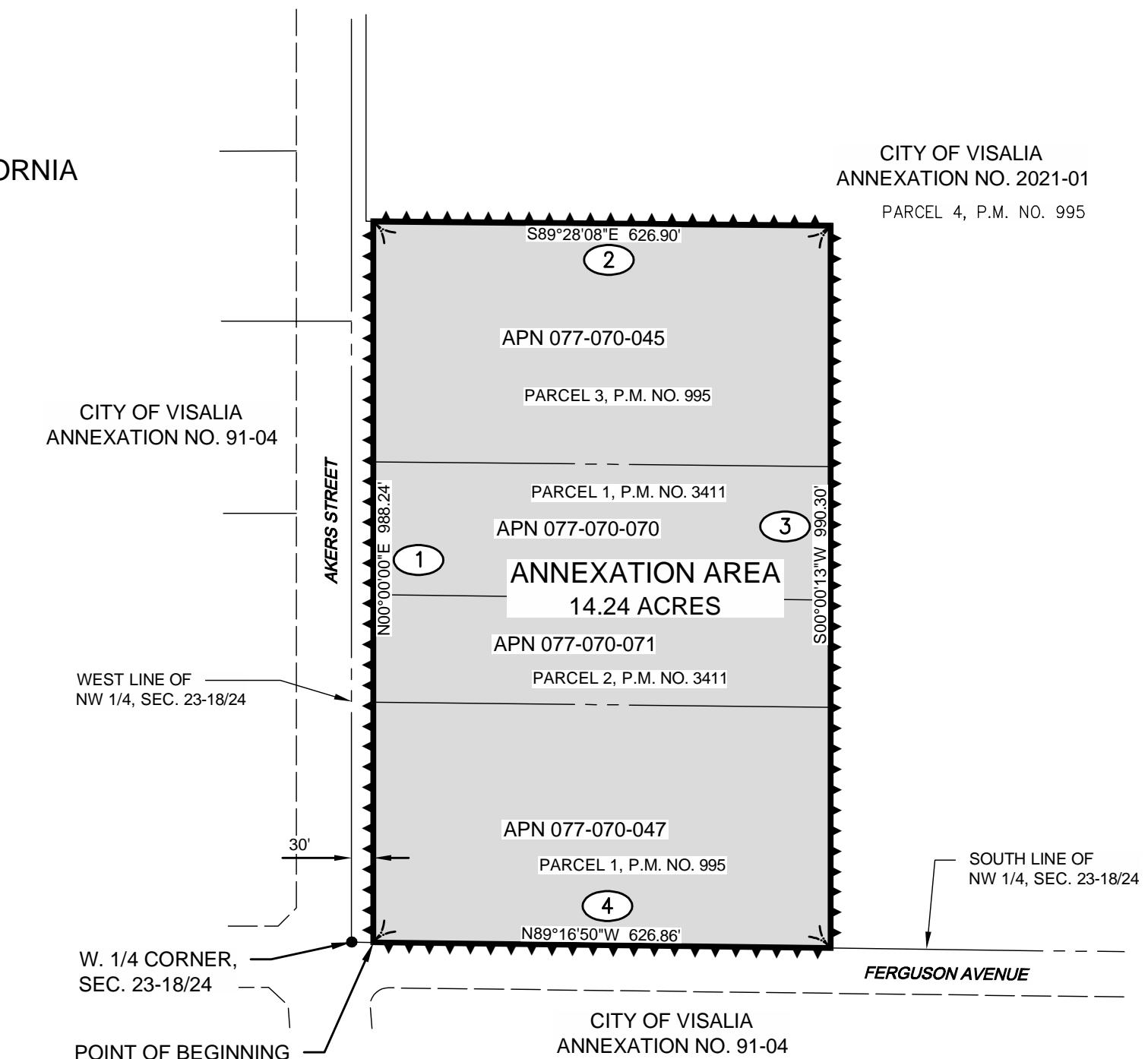
NOT TO SCALE



11/1/23

### LEGEND

- COURSE NUMBER
- EXISTING CITY LIMITS LINE
- PROPOSED ANNEXATION AREA



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