



Solano Local Agency Formation Commission

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STAFF REPORT

DATE: October 19, 2020
TO: Local Agency Formation Commission
FROM: Michelle McIntyre
SUBJECT: **2020-08 Roberts Ranch Village B Detachment from the Solano Irrigation District (SID)**

Staff Recommendation:

Staff recommends the Commission to approve the proposed change of organization via adoption of the attached draft LAFCO Resolution 20-09. The proposed Resolution includes the following actions:

- 1) Approve the detachment of Roberts' Ranch Village B (APN 0138-030-210) from SID.
- 2) Review, consider, and adopt the Environmental Impact Report (EIR), Mitigation and Monitoring Program (MMRP), Statement of Overriding Considerations as the Responsible Agency pursuant to the California Environmental Quality Act (CEQA).
- 3) Waive the conducting authority proceedings pursuant to Government Code (GC) Section 56662.

Executive Summary:

The SID has submitted a detachment request to comply with an existing agreement between the District and the City of Vacaville (City) whereby the City would provide potable and non-potable water service to the proposal site prior to development. The proposal site is located within the Roberts' Ranch Specific Plan, (specifically identified as "Village B") which was previously approved by the LAFCO Commission for annexation to the City of Vacaville in 2017. As such, the City of Vacaville has land use jurisdiction and pre-zoned the proposal area as low density residential with lots ranging from 5,000 to 6,000 sq. ft. The proposal area, Village B, will be developed with 51 residential units and will receive the full range of urban services from the City including but not limited to potable and non-potable water services.

The proposal before the Commission is to consider the detachment from the SID's boundary and service area only. Staff believes this is a standard SID proposal and the following staff report identifies no issues.

Project Description:

The Solano Irrigation District (SID) proposes to detach from their service area one parcel totaling approximately 11.42 acres located within the City of Vacaville (City) city limits north of Fry Road, east of Leisure Town Road, west of the Southern Pacific Railroad, in the Roberts' Ranch Subdivision, APN 0138-030-210. A map and geographical description are attached to the proposed LAFCO Resolution as Exhibit A which more specifically identifies the location.

Application for this change of organization is made subject to GC §56650 *et seq.* by SID Resolution 18-18 (Attachment B) adopted on May 11, 2018. The project has 100% consent of the landowner, consists only of a detachment, and is uninhabited per GC §54046, therefore; the proposal is exempt from the requirements for notice and public hearing. Furthermore, LAFCO may waive the Conducting Authority Proceedings (protest hearing) pursuant to GC §56662.

Background:

In 2017 the Roberts' Ranch development was approved for by the LAFCO Commission, a reorganization proposal that included annexation of the subject property to the City. Per an existing agreement between the City of Vacaville (City) and SID, the Roberts' Ranch Specific Plan area would remain in SID's service area prior to development. (SID could provide non-potable water to the area, but per SID, the Roberts' Ranch Specific Plan area has not received District services for several years.) The agreement further states, that upon detachment, the landowners would be responsible for the District's detachment fees.

The proposal before the LAFCO Commission allows the City and District to comply with said agreement and eliminate the potential for duplication of two service providers to the proposal site. As stated above, Roberts' Ranch proposal area has previously received approval from the Commission for all City services and that the proposal before the Commission now is a detachment from SID and consists only of Village B, as this is the proposal site that will be first to develop within the Roberts' Ranch Specific Plan area.

PROJECT ANALYSIS:Statutory and Policy Considerations:

Per the requirements of the Cortese-Knox-Hertzberg (CKH) Act, the Commission is required to consider seventeen factors (a-q) pursuant to GC Section 56668. Additionally, the Commission must measure a proposal's consistency with its adopted policies (Standards 1-11 per Section 56375(g)) when reviewing an application for a change of organization or reorganization. The following subsections first provides staff analysis for the factors pursuant to the CKH Act followed by analysis and consistency statements with respect to the Commission's adopted Standards:

GC §56668(a-q) – Factors to be Considered in Review of a Proposal:

CKH requires the Commission to consider seventeen factors when reviewing proposals for a change of organization. The purpose is to ensure the Commission has reviewed these factors during its decision-making process.

a. Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

Population and population density within SID's boundary area will remain unchanged. The proposal area will consist of 51 units and could increase the City population by 138 persons based on 2.7 persons per household. The assessed valuation is \$1,708,602 at the last assessment tax roll. There are no natural boundaries, however; there is an existing detention basin located at the northeast corner of the Specific Plan area that was annexed to the City in 2017. The Roberts' Ranch Specific Plan area is one of several communities approved by the Commission in recent years east of Leisure Town Road (Jepson Parkway) that has been developed or will soon develop within the City as part of their General Plan area, therefore, there is significant growth anticipated during the next ten years.

b. The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

As noted, the Roberts' Ranch Specific Plan area was approved in 2017. The City provides community services including but not limited to police, fire, sewer, parks, and other utilities to the proposal area. At the time the Commission considered and approved the Roberts' Ranch reorganization, the Commission reviewed the Water Supply Assessment Report (WSAR) which confirmed that there is adequate City water supply to meet the projected demands for the Specific Plan area (WSAR report dated November 2, 2016 for Brighton Landing and Roberts' Ranch Specific Plans). Additionally, the Commission confirmed that water facilities will be installed per the Roberts' Ranch Specific Plan.

c. The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

Detachment of the proposal area from SID's boundary will have no effect on SID's ability to serve adjacent areas within their boundary. There are no effects on the local governmental structure of the County.

d. The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.

This factor is not applicable as the site is located within the City limits.

e. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

This factor is not applicable as the site is located within the City limits.

f. The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The map and geographic description have been reviewed and corrected by the County Surveyor per Commission policy. These two documents provide certainty of the proposed boundary of the territory.

g. A regional transportation plan adopted pursuant to Section 65080.

This factor is not applicable as the site is located within the City limits. Specifically, the regional transportation plan was considered as part of the reorganization approval and conditions.

h. The proposal's consistency with city or county general and specific plans.

This factor is not applicable as the site is located within the City limits. The Commission considered the City's adopted General Plan and the Roberts' Ranch Specific Plan as part of the reorganization proposal.

i. The sphere of influence of any local agency that may be applicable to the proposal being reviewed.

This factor is not applicable as the site is located within the City limits. The proposal before the Commission of detachment from SID, will concurrently remove the proposal area from their sphere of influence.

j. The comments of any affected local agency or other public agency.

As of the writing of this report, staff has not received comments from any of the affected agencies or other public agencies.

k. The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Per the County Auditor, master property tax sharing agreement applies. The proposed detachment will result in a loss of \$473.47 from SID and an increase in the same amount to the City of Vacaville. Per SID, all District detachment fees have been paid by the landowner.

l. Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

As noted above, the City will provide potable and non-potable water services to the proposal site. At the time the Commission considered the reorganization, it reviewed the WSAR and confirmed adequate water supply to meet the projected demands for the Specific Plan area.

m. The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

This factor is not applicable as the site is located within the City limits. The Regional Housing Needs Allocation (RHNA) was considered by the Commission at the time of the reorganization approval.

n. Any information or comments from the landowner or landowners, voters, or residents of the affected territory.

The Commission has received a letter of support for the proposed change of organization from the landowner.

o. Any information relating to existing land use designations.

The City has rezoned the proposal site as Residential Low Density. According to the Specific Plan, Residential Low Density in the subject area have lots ranging from 5,000 to 6,000 sq. ft.

p. The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

There are no environmental justice issues identified.

q. Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

This factor is not applicable as the site is located within the City limits and the Commission considered the City's General Plan Safety Element as well as the Specific Plan at the time of the reorganization approval.

GC §56375(g) Adopted Standards:

LAFCOs are required to adopt written procedures for the evaluation of proposals, known as Standards, including written definitions consistent with existing State law. The following is an analysis of the proposal's consistency with the Commission's adopted Standards 1-11.

Standard	Policy Consistency	Analysis
1. Consistency with Sphere of Influence (SOI) Boundaries	Consistent	Proposal is consistent with SID's SOI; proposal area will be removed from SID's SOI as part of the Commission's action.
2. Change of Organization and Reorganization to the Limits of the SOI Boundaries	N/A	Located within City limits.
3. Consistency with Appropriate City General Plan, Specific Plan, Area-Wide Plan, and Zoning Ordinance	Consistent	Located within City limits consistent with the City's General Plan and the Roberts' Ranch Specific Plan.
4. Consistency with the County General Plan of Proposed Change of Organization or Reorganization Outside of a City's SOI Boundary	N/A	Located within City limits.
5. Requirement for Pre-Approval	Consistent	Request for detachment initiated by District Resolution 18-18 (Attachment B)
6. Effect on Natural Resources (California Environmental Quality Act – CEQA)	Consistent	<p>The City approved the Roberts' Ranch EIR and has made determinations, added conditions, adopted a mitigation monitoring program, and adopted a statement of overriding considerations.</p> <p>The complete DEIR, FEIR, and related City documents in their entirety are provided electronically and made part of this report via this link: https://www.ci.vacaville.ca.us/government/community-development/advanced-planning/development-projects/roberts-ranch</p>
7. Proposal Boundaries, Map and Geographic Description Requirements, Other Exhibits	Consistent	The map and geographic description attached as Exhibit A to the proposed LAFCO Resolution.
8. Likelihood of Significant Growth and Effect on Other Incorporated or Unincorporated Territory	Consistent	The Roberts Ranch is one of several communities recently approved by the Commission east of Leisure Town Road, therefore; significant urban growth is expected in the proposal and adjacent areas.
9. Protection of Prime Agricultural Land	N/A	Proposal is located within the City; effects on prime ag lands were considered during reorganization.
10. Provision and Cost of Community Services	N/A	Proposal is to consider detachment from SID only; proposal site is within the City's jurisdiction.
11. The Effect of the Proposed Action on Adjacent Areas, Mutual Social and Economic Interests, and on Local Governmental Structure	Consistent	Per SID staff, all fees have been paid consistent with the City and SID's existing joint powers agreement.

Conducting Authority (Protest Hearing) Proceeding:

The proposal area is undeveloped considered legally uninhabited per GC Section 56079.5 (there are fewer than 12 registered voters in the proposal area). Furthermore, the property owner has submitted a letter to the Commission consenting to the annexation. Therefore, staff recommends the Commission waive the conducting authority proceeding pursuant to GC Section 56662(d).

Summary of Findings and Determinations:

Staff recommends the following findings and determinations based on project research and analysis included in prior sections of this document, State law, and the Commission's adopted policies:

1. The subject detachment is consistent with the District's SOI; the proposal area will be removed from the District's SOI as part of the Commission's action.
2. The subject detachment allows the City of Vacaville and the Solano Irrigation District to comply with a joint powers agreement and understanding that the subject property shall be detached from the District's service area and that City will provide potable and non-potable water prior to development.
3. The subject detachment eliminates the potential for duplication of two service providers to the subject property.
4. The subject proposal area is "uninhabited" as defined by Government Code (GC) §54046. Application for the subject detachment is made subject to GC §56650 et seq. by resolution of the Solano Irrigation District. All landowners have consented to the proposal therefore; the Commission waives the conducting authority proceedings/protest hearing.
5. The boundaries are definite and certain and conform to lines of ownership and parcel lines. The detachment will provide a logical and orderly boundary for the Solano Irrigation District.
6. The environmental documents were approved by the City of Vacaville as the lead agency on March 28, 2017 (SCH #2015112042) and are found to satisfy the requirements of the California Environmental Quality Act (CEQ). The environmental impacts of the change of organization have been disclosed and adequately addressed by the lead agency and the potential environmental effects have been adequately mitigated. The City of Vacaville has fulfilled its obligations under CEQA and the EIR and associated environmental documents for the Roberts' Ranch Specific Plan adequately disclose and describe the subject change of organization project.
7. The subject detachment is in the best interests of the citizens within the affected area.
8. The subject detachment will not result in negative impacts to the cost and adequacy of services otherwise provided by SID to adjacent areas within their service boundaries.

9. The subject detachment will result in a loss of \$473.47 tax base from SID and a gain of the same amount for the City of Vacaville.
10. The District has collected all applicable detachment fees per the agreement between the City and the District.

Terms and Conditions of Approval per GC Sections: 56885, 56885.5, and 56886:

Staff recommends the Commission approve the proposed change of organization with the following terms and conditions of approval:

1. The Commission orders the change of organization without an election as provided by GC 56885.5.
2. Immediately following LAFCO approval, the District shall submit a warrant to LAFCO for the CA State Board of Equalization in the amount of \$800.00.
3. The effective date of the change of organization shall be the date of the recordation made with the County Recorder of the Certificate of Completion per GC Section 57202.

Attachments:

Attachment A – Draft LAFCO Resolution 20-09
Exhibit A – Map and Geographical Description
Exhibit B – CEQA MMRP and Statement of Overriding Considerations
Attachment B – SID Resolution 18-18 Initiating the Change of Organization