

RESOLUTION № 2022-05

AUTHORIZE THE CITY OF WOODLAND TO PROVIDE OUT OF AGENCY WATER AND SEWER SERVICES TO THE YOLO COLD STORAGE FACILITY APN 027-270-046 LOCATED AT THE NORTHEAST CORNER OF WEST STREET AND I-5 (LAFCO NO. 22-03)

WHEREAS, on May 9, 2022, Woodyard, LLC submitted an application to extend City of Woodland services outside the City’s jurisdictional boundaries to a 14.89-acre property APN 027-270-046 in order to provide water and sewer services to the Yolo Cold Storage Facility Project; and

WHEREAS, in accordance with the Cortese Knox Hertzberg Act, Government Code Section 56133, the Yolo Local Agency Formation Commission (“Yolo LAFCo”) may authorize an agency to provide extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change or organization; and

WHEREAS, the project was analyzed in accordance with Government Code Section 56133 and Yolo LAFCo’s local policy for Out of Agency Service Review adopted August 22, 2019;

WHEREAS, the Yolo County Planning Commission adopted the Initial Study / Mitigated Negative Declaration (IS/MND) as Lead Agency for the project under the California Environmental Quality Act (CEQA), and determined although the Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The County approved the project and filed a Notice of Determination; and

WHEREAS, CEQA requires a Responsible Agency to accept the Mitigated Negative Declaration as prepared by the Lead Agency and to treat the document as being legally adequate absent specified circumstances not present herein; and

WHEREAS, the Executive Officer reviewed the proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to the date of the May 26, 2022 meeting during which the project was set to be considered; and

WHEREAS, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony, protests, objections, and any other information concerning the Proposal and all related matters; and

WHEREAS, at said meeting, the Commission reviewed and considered the Mitigated Negative Declaration and the Executive Officer’s Report including all the information, recommendations, findings, and conditions contained therein.

NOW, THEREFORE, BE IT RESOLVED that the Yolo LAFCo authorizes the City of Woodland to provide out of agency water and sewer services to the Yolo Cold Storage Facility project, on a 14.89-acre parcel APN 027-270-046, located at the northeast corner of West Street and I-5, between CR 19A and I-5 and shown in Exhibit A (LAFCO No. 22-03) subject to the following findings and conditions of approval:

Findings

1. **Finding**: The potential environmental effects of the Project have been reviewed by the County of Yolo as Lead Agency and determined although the Project could have a significant effect

on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and filed a Notice of Determination in accordance with the California Environmental Quality Act (CEQA).

Evidence: The County of Yolo, as Lead Agency, prepared a IS/MND and identified mitigation measures that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Yolo County Planning Commission adopted the IS/MND, approved the project, and filed a Notice of Determination in accordance with CEQA. As a Responsible Agency under CEQA, LAFCo is required to accept a CEQA document as prepared by the Lead Agency and to treat the document as being legally adequate absent specified circumstances not present herein. Potential environmental impacts relating to cultural sensitivity, geology/paleontological resources, cultural/archeological resources, and greenhouse gases have been mitigated to a less than significant level. Yolo County has made the mitigation measures Conditions of Approval of Zoning File 2021-0019 to ensure such Project revisions and measures are implemented.

2. Finding: Approval of Out of Agency Services for the project is consistent with LAFCo policies and is a logical extension of City of Woodland services.

Evidence: This Out of Agency Services approval is consistent with Yolo LAFCo's Project Policies, specifically its Standards of Evaluation (Section 3.3), and the City of Woodland Sphere of Influence. Extended services already serve the highway commercial on the south side of I-5 on Barnard Court, would only serve the cold storage facility, and would not be considered growth-inducing. LAFCo anticipates an application for annexation later this year. The project is consistent with the Yolo County General Plan and Zoning as approved with a Use Permit. Water and sewer supply would be provided by the City of Woodland through connections to existing water and sewer mains in Barnard Court boring under I-5. The City of Woodland has agreed to provide services and has provided LAFCo with a will-serve letter contingent upon the developer and the City agreeing to terms for construction and connection, specifically the payment of impact fees and agreeing to future annexation.

Conditions of Approval

1. To the extent allowed by law, the applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which to attack, set aside, void, or annul the approval of this application or adoption of the environmental review which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive negligence of the part of the Yolo Local Agency Formation Commission its agents, officers, attorney or employees.
2. This approval is subject to the City of Woodland and the developer agreeing to terms for service construction and connection, including the payment of impact fees and agreeing to future annexation, among other items.
3. Consistent with the Yolo County approval Zone File No. 2021-0019, LAFCo approval will expire in two years on May 26, 2024 unless a building permit has been issued and construction commenced.

PASSED AND ADOPTED by the Local Agency Formation Commission, County of Yolo, State of California, this 26th day of May 2022, by the following vote.

AYES:

NOES:

ABSENT:

Olin Woods, Chair
Yolo Local Agency Formation Commission

ATTEST:

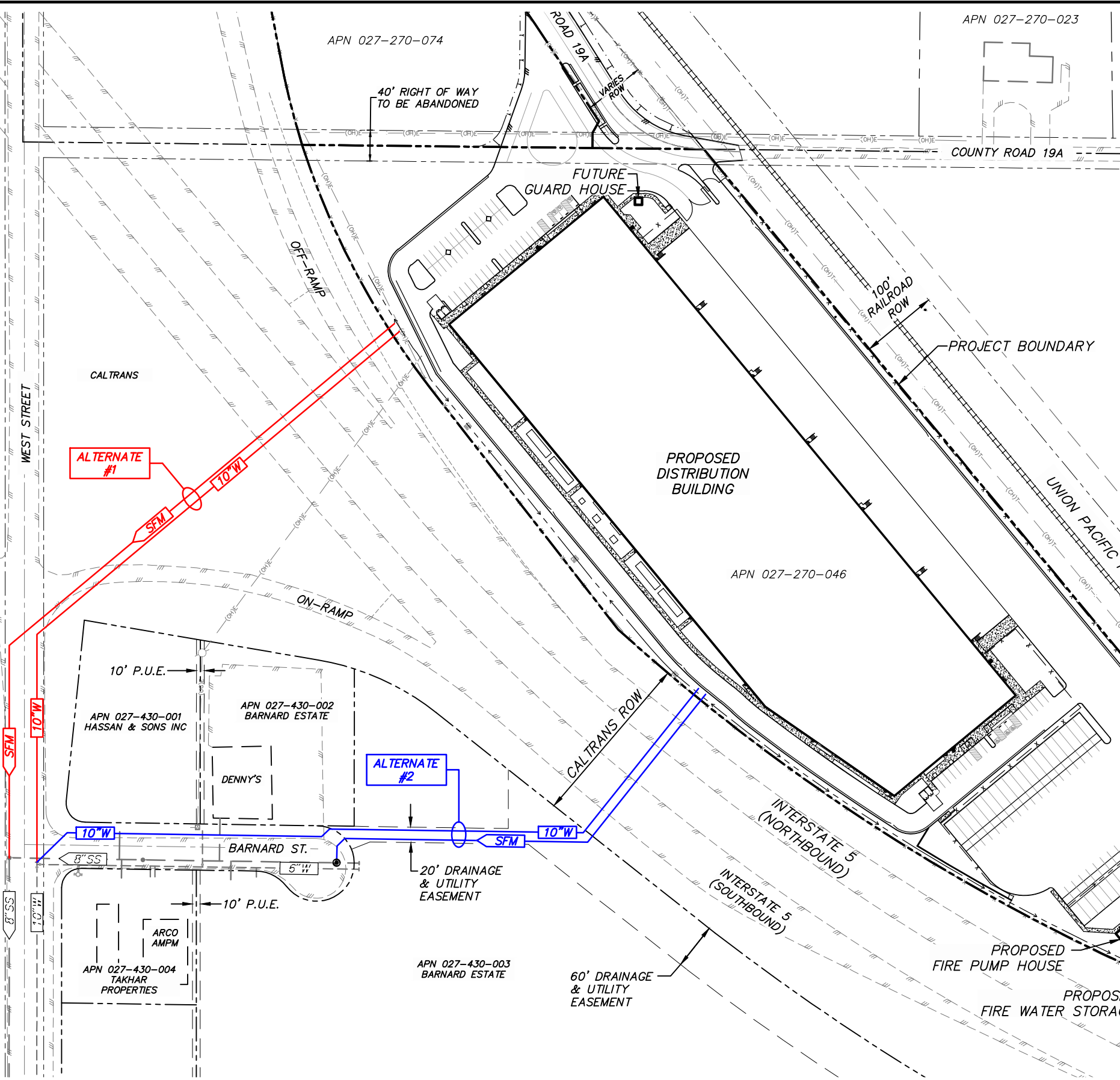
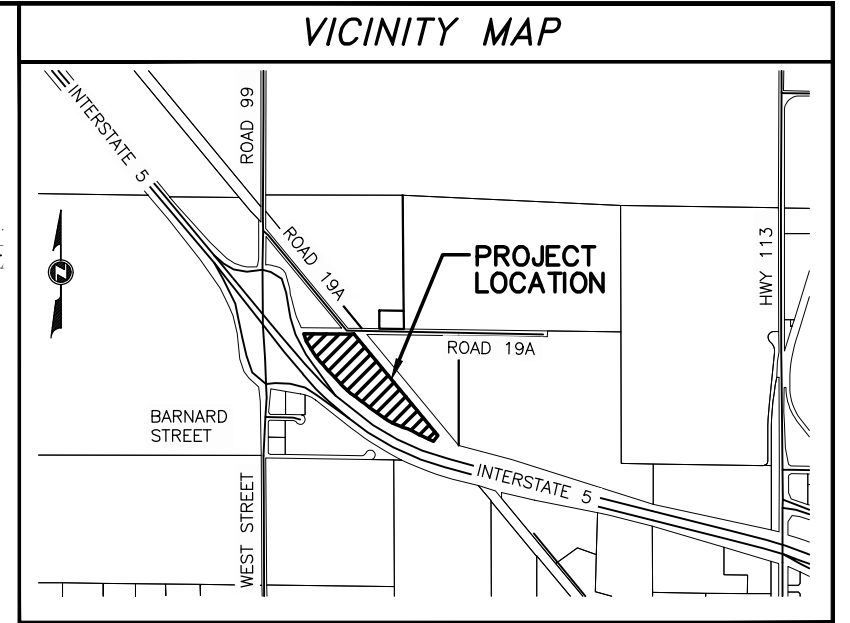
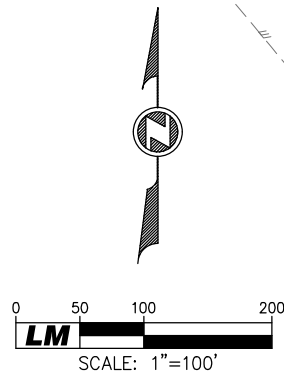


Christine Crawford, Executive Officer
Yolo Local Agency Formation Commission

Approved as to form:



Eric May, Commission Counsel



ALTERNATE #1

ALTERNATE #2

FIGURE 1

YOLO COLD STORAGE

LM LAUGENOUR AND MEIKLE
 CIVIL ENGINEERING · LAND SURVEYING · PLANNING

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