

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Consider the City of Davis annexation of the West Davis Active Adult Community Project (LAFCo No. 932), detaching the territory from the Springlake Fire Protection District, waiving Protest Proceedings and adopting Findings as a Responsible Agency for the Final Environmental Impact Report and Statement of Overriding Considerations pursuant to CEQA (California Environmental Quality Act) Guidelines Section 15096

RECOMMENDED ACTION

1. Receive staff presentation and open the Public Hearing for public comments on this item.
2. Close the Public Hearing and consider the information presented in the staff report and during the Public Hearing.
3. Consider the Final Environmental Impact Report (EIR) for the West Davis Active Adult Community Project, and approve Resolution 2019-04 adopting findings as a Responsible Agency for the Final EIR and Statement of Overriding Considerations.
4. Adopt Resolution 2019-05 approving the City of Davis annexation of the West Davis Active Adult Community Project, detaching the territory from the Springlake Fire Protection District, and waiving protest proceedings.

FISCAL IMPACT

No fiscal impact. The City of Davis as the proposal applicant submitted a deposit and will reimburse LAFCo for all processing costs.

REASONS FOR RECOMMENDED ACTION

Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission. Government Code Section 56021 defines "changes of organization" to include annexation to a city, among other actions.

On June 12, 2018, The City of Davis approved the West Davis Active Adult Community Project and the voters of the City of Davis, on November 6, 2018, ratified the General Plan Amendment and the Baseline Project Features for the Project. Government Code Section 56650 authorizes proceedings for a change of organization or a reorganization to be initiated by a Resolution of Application as adopted by a local agency. On January 8, 2019 the City of Davis adopted a Resolution of Application to annex the West Davis Active Adult Community Project (APN: 036-060-05) and the proposal application was submitted to Yolo LAFCo on February 8, 2019. The proposal also includes detaching the territory from the Springlake Fire Protection District as fire protection services would instead be provided by the City of Davis.

The subject parcel is included within the Sphere of Influence for the City of Davis as approved by the Yolo LAFCo.

BACKGROUND

Proposal Description

The project site consists of approximately 74 acres located northwest and adjacent to the City of Davis within the City of Davis Sphere of Influence (SOI) of unincorporated Yolo County. The project site is bounded by existing agricultural land within unincorporated Yolo County (within the City's SOI) to the west, nine mapped but undeveloped 13- to 23-acre residential lots to the north, the Sutter Davis Hospital and Risling Court to the east, and West Covell Boulevard to the south. The project site is currently undeveloped and has been previously used for agricultural uses.

The City of Davis approval changed the general plan land use designation from Agriculture to Residential – Medium Density, Residential – High Density, Neighborhood Mixed Use, and Urban Agriculture Transition Area. Correspondingly, the parcel has also been pre-zoned to Planned Development. The project includes development of: 150 affordable, age-restricted apartments; 32 attached, age-restricted cottages; 94 attached, age-restricted units; 129 single-family detached, age-restricted units; 77 single-family detached, non-age-restricted units; an approximately three-acre continuing care retirement community, which would likely consist of 30 assisted living, age-restricted detached units; an approximately 4.3-acre mixed use area, which would likely consist of a health club, restaurant, clubhouse, and up to 48 attached, age-restricted units; dog exercise area and tot lot; associated greenways, drainage, agricultural buffers; and off-site stormwater detention facilities. Upon completion of the project, the approximately 74-acre site would provide up to 560 dwelling units and 4.5 miles of off street biking and walking paths within the project area and an additional 0.22 miles of off street biking and walking paths offsite.

Factors to be Considered

In accordance with Government Code Section 56668, the factors to be considered in the review of a proposal shall include, but is not limited to, all of the following:

1. Population, land use, natural boundaries, proximity to other populated areas, and likelihood of significant growth in the area during

the next 10 years;

2. The need for organized community services, the adequacy of governmental services and controls in the area, the probable effect of annexation and alternative courses of action;
3. The effect of the proposed action (and alternative actions) on the adjacent areas, social and economic interests and local governmental structure of the county;
4. The conformity of the proposal and its effects with adopted commission policies on providing planned, orderly and efficient patterns or urban development;
5. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands;
6. The definiteness of the boundaries with parcel lines and the creation of any "islands" or corridors of unincorporated territory;
7. A regional transportation plan;
8. The proposal's consistency with city or county general and specific plans;
9. The sphere of influence of any applicable local agency;
10. The ability of the receiving entity to provide services and the sufficiency of revenues for those services;
11. Availability of water supplies;
12. The extent to which the proposal will affect a city in achieving its regional housing needs as determined by its council of governments;
13. Any information or comments from landowners, voters or residents for the affected territory;
14. Any information relating to existing land use designations;
15. The extent to which the proposal will promote environmental justice, meaning the fair treatment of people of all races, cultures and incomes with the respect to the provision of public services; and
16. Any local hazard plan or safety element of a general plan that identify land as a very high fire hazard zone.

Yolo LAFCo's local standards of evaluation for proposals (Section 2.0) elaborates on these state mandated factors with the following additional standards:

1. Favoring municipal services by cities in urbanized areas rather than the County or special districts;
2. Consider not only present service needs of the area under consideration, but shall also consider future services which may be required to take care of future growth or expansion;
3. Requiring a service plan that describes the extension, financing and timing of services;
4. SACOG's regional housing needs for the agency, recent update (and certification) of the agency's housing element, whether the agency's inclusionary housing ordinance complies with SACOG's Affordable Housing Compact, the degree to which the proposal meets the agency's "low income" and "very low income" housing targets, and the extent to which the proposal advances or inhibits the agency's housing element; and
5. Consistency with the Agricultural Conservation Policy.

Analysis

The proposed annexation area is within the City's sphere of influence and is a logical and orderly extension of the City's urban area. The proposed development will need urban services and the City has the capacity and is the appropriate agency to provide services (as opposed to the County). The proposal is consistent with the City's general plan land use designations.

The City's Environmental Impact Report (EIR) analyzes the capacity and availability of public services and utilities and concludes that the City has capacity to serve the project. There is no indication that the City would not have capacity to additionally serve any future adjacent areas in its sphere of influence. The project is consistent with the regional growth projections prepared by SACOG. Additionally, the City's requirements associated with the 1% Growth Policy and the City's Phased Allocation Ordinance would ensure that the population growth associated with the project is consistent with the City's growth management requirements. The project would provide 150 affordable housing units.

The project site is currently undeveloped and has been previously used for agricultural uses. The project site is designated as Farmland of Local Importance by the California Department of Conservation's Farmland Mapping and Monitoring Program. The Soil Survey of Yolo County, shows that the project site contains Capability Class IV (non irrigated) soils, and Class I-IV (irrigated soils) which indicate the soils have very severe limitations that restrict the choice of plants or that require very careful management, or both. The project site is not under a Williamson Act contract, nor are any of the parcels that are located immediately adjacent to the project site. Even though the project site soils have limitations, the City's EIR mitigation measures require a minimum ratio of 2:1 set aside as an agricultural conservation easement conforming with LAFCo policy. Notwithstanding, the EIR concludes that impacts to agricultural land remains significant and unavoidable.

The City and County have approved a property tax exchange agreement. Therefore, staff concludes that the annexation proposal complies with required state factors and local standards of evaluation.

Action Without Notice and Waiver of Protest Proceedings

Government Code Section 56662 allows LAFCo to approve an annexation without notice and hearing, and may waive protest proceedings entirely if: the territory is uninhabited; an affected local agency has not submitted a written demand for hearing; and there is 100% landowner approval. The Springlake Fire Protection District was notified of the proposed detachment and has no objections. Staff erred on the side of transparency and published a notice of this item in the Davis Enterprise and mailed notifications to landowners within 300' of the subject property, but recommends waiver of protest proceedings is appropriate considering there is only one landowner (i.e. the developer).

CEQA

The annexation is a discretionary action subject to CEQA. The City of Davis certified a Final Environmental Impact Report on June 12, 2018 for the West Davis Active Adult Community Project which analyzes and discloses the significant environmental effects associated with development in the annexation area.

LAFCo is considered a "responsible agency" under CEQA, which means a public agency, other than the "lead agency" (i.e. the City), which has responsibility for carrying out or approving a project. In other words LAFCo approval (i.e. the annexation) is required for the City to carry out development under its project approval. Pursuant to Government Code Section 15096, LAFCo as a responsible agency complies with CEQA by considering the EIR prepared by the City and reaching its own conclusions on whether and how to approve the annexation. LAFCo is required to make findings for each significant environmental effect of the project. CEQA requires the

decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the benefits outweigh the adverse effects, they may be considered "acceptable". The City's Final EIR for the West Davis Active Adult Community Project identified significant and unavoidable impacts in the following areas: aesthetics and visual resources; agriculture resources; air quality; and traffic and circulation. The City's EIR have not been attached due to size considerations, but can be found here: <https://cityofdavis.org/city-hall/community-development-and-sustainability/development-projects/west-davis-active-adult-community>. Staff provided comments to the Notice of Preparation to ensure the EIR was consistent with LAFCo policy.

Attachments

[ATT A-Resolution 2019-04 CEQA for City of Davis Annexation of WDAAC](#)

[ATT B-Resolution 2019-05 City of Davis Annexation of WDAAC & Detach of Springlake FPD](#)

[ATT C-Agency Correspondence](#)

[ATT D-WDAAC Annexation Proposal Application-02.08.19](#)

Form Review

Inbox

Christine Crawford (Originator)
Form Started By: Christine Crawford
Final Approval Date: 04/17/2019

Reviewed By

Christine Crawford

Date

04/17/2019 02:52 PM
Started On: 04/16/2019 10:57 AM