

SUTTER LAFCO

LOCAL AGENCY FORMATION COMMISSION

P.O. Box 2694
GRANITE BAY, CA 95746 (707) 592-7528 FAX (530) 749-5468

REGULAR MEETING AGENDA

Meeting will begin at 2:00 PM

**Yuba City Council Chambers
1201 Civic Center Boulevard – Yuba City, California**

Thursday, November 18, 2021 - 2:00 p.m.

COMMISSION MEMBERS

Regular Members

County Member – Mat Conant
County Member – Mike Ziegenmeyer
City Member – Marc Boomgaarden
City Member – Bob Woten
District Member – Larry Munger
District Member - Don Cochran, **Chair**
Public Member - Rupinder Jawanda, **Vice Chair**

Commissioner Alternates:

County Alternate – Karm Bains
City Alternate – Grace Espindola
District Alternate – Vacant
Public Alternate – Enita Elphick

LAFCo Staff:

John Benoit, Executive Officer
Jennifer Stephenson, Deputy Exec. Officer
Paige Hensley, Clerk-Analyst
P. Scott Browne, LAFCo Counsel

In person meeting: Required for all Commissioners. The Sutter LAFCO meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205], masks will be encouraged to be worn by individuals who are not fully vaccinated while inside the meeting room and while in the Council Chambers.

The Sutter Local Agency Formation Commission is providing the public two options to join the meeting:

- ***The public may attend the meeting located in the Yuba City Council Chambers, however due to public health guidelines regarding Covid-19 seating will be limited. If you choose to attend in person, you are asked to wear a mask and we ask that you practice social distancing. If you are ill or have been recently exposed to Covid-19 please stay home and participate via the web teleconference.***
- ***Web Teleconference (Please see instructions below) **Please note...currently the video conferencing process does not allow for verbal comments but does have a chat function where comments will be read.*****

The complete agenda and related items are available on the Sutter LAFCO website at www.sutterlafco.org subject to staff's ability to post the documents before the meeting.

Instructions to join the web teleconference are as follows:

You will first need to register for the web teleconference prior to the meeting. You will be asked to furnish you name and an email address.

Click the link below to register for the web teleconference:

https://us06web.zoom.us/webinar/register/WN_CkMiJH0jT6S4MujXCjptQ

After registering, you will receive a confirmation email containing information about joining the meeting.

The public may choose to make their comments thru the chat function during the teleconference or Public comment will also be accepted by email to sutterlafco@gmail.com Please list the item number you wish to comment on and submit your written comments 24 hours prior to the start of the meeting. Written comments will be distributed to the Commission prior to the meeting and will be read.

1. Call to Order:

- a. Roll Call.
- b. Pledge of Allegiance.
- c. Approval of the Agenda

2. Approval of Minutes from the September 9, 2021 LAFCo meeting:

Action: Approval of Minutes from the September 9, 2021, meeting

3. Consent Agenda:

Action: Payment of Claims for September and October 2021

4. WORKSHOP: Review and Discuss the upcoming 2021 FIRE and EMS Municipal Service Review and Sphere of Influence Update for Fire and EMS service providers in Sutter County

- a. *Open discussion regarding the upcoming Service Review and Sphere Update.*

Public Hearing

5. **Newkom Ranch Gilsizer Annexation of 183.07-acres more or less to the Gilsizer County Drainage District**
 - a. *Hold Public Hearing and Consider LAFCo File 2021-0002 annexation of 183.07 acre more or less acres to the Gilsizer County Drainage District and Consider Resolution 2021-0006 approving the Newkom Ranch Gilsizer Annexation to the Gilsizer County Drainage District.*

6. **Discussion regarding the Bains Annexation to the City of Yuba City**
 - a) *Review map and possible options for this annexation.*
 - b) *Provide direction to staff regarding this annexation*

7. Discussion regarding AB361- New Teleconferencing Legislation. and possible adoption of Resolution 2021-0007 authorizing teleconference meetings
 - a) *Consider adoption of Resolution 2021-0007*

8. **Executive Officer's Report:**
 - a. *Gilsizer County Drainage District Annexation Bains Annexation – 19.56 acres*
 - b. *Sutter Ranch Annexation to the Sutter CSD 80.71 acres*
 - c. *LAFCo Meeting Schedule for 2022*

9. **Commissioner Reports:**

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.

10. **Public Comment:**

Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 5 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.

11. **Adjournment:**

Adjourn to the regular meeting at Yuba City Hall and (or) via Teleconference at **2:00 pm January 13, 2022**

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.

Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56325.1

Commissioners - Please contact your alternate member if you are either unable to attend this meeting or unable to vote on a specific agenda item.

Pursuant to Government Code Section 54954.2, Commission members may make a brief announcement or report on activities. Commission members may also provide a reference to staff or other resources for factual information, request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual's testimony may be limited to 5 minutes. Time to address the Commission will be allocated on the basis of the number of requests received.

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda are available for review for public inspection in the Sutter County Development Services office located at 1130 Civic Center Blvd, Yuba City, CA. [such documents are also available on the Sutter LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting].

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting. The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

Pursuant to Government Code Sections 56100.1, 56300(b), 56700.1, and 81000 et seq., Disclosure of Contributions and Expenditures in Support of and Opposition to Proposals, any person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to Sutter LAFCO must comply with the disclosure requirements approved by Sutter LAFCO

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff LAFCO staff may be contacted at (530) 619-5128 or (530) 218-0886, by mail at Sutter LAFCO P.O. Box 2694, Granite Bay CA 95746 or by email j.benoit4@icloud.com

Webpage Reports, agendas, minutes and general information about LAFCO are available on the LAFCO Webpage at www.sutterlafco.org

Sutter Local Agency Formation Commission

Item #3

CLAIMS

September and October 2021

2021-2022 Expenses

| <u>Date of Claim</u> | <u>Description</u> | <u>Amount</u> |
|----------------------|--------------------------------|---------------|
| Oct 1, 2021 | Staff Services September 2021 | \$ 3,852.63 |
| 8.15, 2021 | Legal Counsel 8.16.21-9.15.21 | \$ 1,500.00 |
| Sept 9, 2021 | Commission Stipend 9.9.21 | \$ 700.00 |
| Nov 1, 2021 | Staff Services Oct 2021 | \$ 4,792.56 |
| Aug 15, 2021 | Legal Counsel 9.16.21-10.15.21 | \$ 1,500.00 |
| | TOTAL: | \$ 12,345.19 |

DATED: Nov 18, 2021

APPROVED: Nov 18, 2021

Don Cochran, Chair or Rupinder Jawanda, Vice-Chair
Sutter Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

FUND: SUTTER LAFCO
DEPT: Expenditures and Revenue
FY 2021-2022

| Item Account Number | Insurance 64301 | Memberships 63101 | copies 62601 | postage 62301 | ommunication 62201 | Office Exp. 62501 | Counsel 62730 | staff Svcs 62701 | Comm Stipend 61210 | Public 62401 | Lafco Trainin Trns & Travel 62801 |
|---------------------------------|-----------------|-------------------|--------------|---------------|--------------------|-------------------|---------------|------------------|--------------------|--------------|-----------------------------------|
| Total Budgeted 2021-2022 | \$ 2,600.00 | \$ 2,410.00 | \$ 1,000.00 | \$ 600.00 | \$ 750.00 | \$ 350.00 | \$ 15,000.00 | \$ 48,000.00 | \$ 6,600.00 | \$ 1,500.00 | \$ 2,500.00 |
| Calafco Dues 2021-2022 | | \$ (2,410.00) | | | | | | | | | |
| GSRMA Insurance 2021-2022 | \$ (2,527.00) | | | | | | | | | | |
| Staff Svcs July 2021 | | | \$ (15.00) | | \$ (54.76) | \$ (24.98) | | \$ (5,057.50) | | | \$ (52.64) |
| Browne ending 7.15.21 #942 | | | \$ (15.00) | | \$ (102.69) | | \$ (1,500.00) | \$ (4,143.75) | | | |
| Staff Svcs Aug 2021 | | | | | | | \$ (1,500.00) | | | | |
| Browne ending 8.15.21 | | | | | | | | | \$ (500.00) | | |
| July 8, 2021 Comm Stipend | | | | | | | | | \$ (700.00) | | |
| Comm payroll Sept 9, 2021 | | | | | | | | | | | |
| REVENUE BAINS REORG | | | | | | | | | | | |
| Staff Svcs Sept 2021 (0073) | | | | | \$ (59.99) | | \$ (1,500.00) | \$ (3,740.00) | | | \$ (52.64) |
| Browne ending 9.14.21 | | | | | | | \$ (1,500.00) | | | | |
| Browne ending 10.15.21 | | | | | | | | | | | |
| Staff Svcs Oct 2021 | | | \$ (15.00) | | \$ (60.06) | | | \$ (4,717.50) | | | |

\$ 185.00

| | | | | | | | | | | | |
|-----------------------------------|---------------|---------------|------------|-----------|-------------|------------|---------------|--------------|---------------|-------------|-------------|
| Total Expenditures to date | \$ (2,342.00) | \$ (2,410.00) | \$ (45.00) | \$ - | \$ (277.50) | \$ (24.98) | \$ (6,000.00) | \$ 30,341.25 | \$ (1,200.00) | \$ - | \$ (52.64) |
| Total Budget Remaining | \$ - | \$ - | \$ 955.00 | \$ 600.00 | \$ 472.50 | \$ 325.02 | \$ 9,000.00 | \$ 5,400.00 | \$ 5,400.00 | \$ 1,500.00 | \$ 2,447.36 |

unaudited July 1, 2021 Fund Carryover \$ (185,768.11)

Revenue Received to date:
21-22 Contribs Received City-Dist-County \$ 78,691.00
REVENUE FOR PROJECTS
Interest
Reserve
Less Expenditures #####
Actual Cash Balance \$ (216,016.62)

Executive Officer's Report

**SUTTER LAFCo
NEWKOM RANCH ANNEXATION TO THE GILSIZER COUNTY DRAINAGE
DISTRICT**

**Sutter LAFCo No. 2021-0002 Newkom Ranch Gilsizer Annexion
The City of Yuba City
November 18, 2021**

TO: Sutter Local Agency Formation Commission
FROM: John Benoit, Sutter LAFCo Executive Officer
SUBJECT: Newkom Ranch Gilsizer Annexation to the Gilsizer County Drainage District

EXECUTIVE OFFICER'S RECOMMENDATION:

Adopt the proposed Sutter LAFCo Resolution 2021-06 (see Attachment #1) approving an annexation consisting of a 183-07-acre more or less annexation to the Gilsizer County Drainage District referred to as the Newkom Ranch Gilsizer Annexation to provide drainage services to the annexation area for the Newkom Ranch. This territory is within the City of Yuba City and entirely within both the City's and Gilsizer Drainage District's Sphere of Influence as adopted on July 8, 2021.

SUGGESTED MOTION:

Adopt proposed Sutter LAFCo Resolution 2021-0006 approving an Annexation consisting of 183.07 acres (more or less) into the Gilsizer County Drainage District.

This proposal includes the following components:

- Annexation of the affected territory to Gilsizer County Drainage District for storm drainage services provided by the district.

The City adopted a plan for services for the City's Annexation of the Newkom Ranch. This annexation is a component of the drainage plan.

I. BACKGROUND:

A. Summary:

In 2021 Sutter LAFCo received a Petition of Application and Plan for Providing Service proposing an annexation to both the City of Yuba City and the Gilsizer County Drainage District. A separate property tax sharing agreement is required for this 183.07-acre annexation.

Staff recommends the Local Agency Formation Commission approve the annexation of the 183.07 acres (more or less) territory to the Gilsizer County Drainage District. subject to the terms and conditions stated in proposed Sutter LAFCo Resolution 2021-06.

B. Proposal and Justification:

The purpose of the proposed project is to annex a total of 183.07 acres (more or less) into the Gilsizer County Drainage District in order for the landowners to receive drainage services from the district.

C. Bogue-Stewart Master Plan:

In 2019 the City adopted the Bogue-Stewart Master Plan. After holding a Public Hearing, adopt a Resolution certifying the Environmental Impact Report (EIR) (SCH #2017012009) on December 17, 2019 prepared for the master plan, a Resolution approving a General Plan Amendment (GPA 14-05), a Resolution approving Specific Plan Amendment (SPA 16-05 including the Public Facilities Finance Plan) were adopted, and an Ordinance approving Pre-annexation Zoning (RZ) 14-04 for land inside the BSMP.

The BSMP consists of approximately 741-acre mixed-use community that includes a mix of land uses, including low, medium-low, and medium-high-density residential uses, along with community commercial, neighborhood commercial, office, business, park, and public uses. Approximately 2,500 dwelling units and approximately 1,300,000 square feet of non-residential uses. The EIR addresses a sphere of influence amendment, annexation, General Plan amendment, and pre-zoning in the BSMP area.

The intent of the Bogue-Stewart Master Plan is to provide for the orderly and systematic development of the 741-acre Bogue Road – Stewart Road area. The Plan, was adopted as a specific plan, combining elements from the City's General Plan and Zoning Regulations to establish a regulatory structure to guide development. The Plan provides for the development of a planned community of residential, commercial, Office/business Park and recreational sites and other public facilities.

B. LAFCo's Adopted MSR and SOI

On November 12, 2020 Sutter LAFCo Adopted a Service Review and Sphere of influence and added the 741-acre BSMP area to the City's Sphere of Influence.

In adopting a Sphere of Influence update to include the BSMP area in the City of Yuba City's Sphere of Influence, the Commission considered relevant factors determined by the Commission, including but not limited to, Sphere of Influence and General Plan Consistency, and other factors described in Government Code Sections 56425, and 56428, in that:

- a. The Commission has considered the present and planned land uses in the area including agricultural and open space lands as described in the Sutter County General Plan, and the City of Yuba City General Plan.

- b. The Commission has considered the present and probable need for public facilities and services in the area as described in the adopted Municipal Service Review, the City of Yuba City General Plan and the Executive Officer's report dated November 12, 2020.
- c. The Commission has considered the present capacity of public facilities and adequacy of public services, which the agency provides or is authorized to provide as described in the adopted City of Yuba City Municipal Service Review.
- d. The Commission has considered the existence of any social or economic communities of interest in the area and received as testimony in public hearings.
- e. The Commission has considered the conversion of prime agricultural lands meeting LAFCO's criteria in Government Code Section 56064. The Commission has considered the Statement of Overriding Considerations in this Sphere of Influence as adopted by Yuba City.

On July 8th 2021 Sutter LAFCo adopted Resolution 2021-0005 amending the Sphere of Influence for the Gilsizer County Drainage District to include the area requiring drainage services located within the BSMP area. This proposal is within the adopted Sphere of Influence, as amended on January 8, 2021.

Sutter LAFCO received a petition of Application, Plan for Providing Service and Development Agreement from the City of Yuba City proposing the Newkom Ranch annexation of territory including 221± acres more or less. This 183.07 acres more or less annexation of to the Gilsizer County Drainage District was delayed for the finalization of a Tax Sharing agreement between the Gilsizer Drainage District and the County.

LAFCo received a petition of application with support of 100% of the landowners (excepting the California Department of Transportation and PG&E, who do not necessarily object to this annexation) for annexation to the City. Nevertheless, LAFCo published a notice and is holding a public hearing on this annexation.

This proposed reorganization is within the adopted Sphere of Influence for the City and considered uninhabited having less than 12 registered voters within the territory.

The purpose of the annexation is to allow development of a portion of the Bogue Stewart Master Plan Area consisting of 183.07 acres of the 221.85 acres more or less annexation of the Newkom Ranch Annexation to the City of Yuba City. This annexation shall consist of an annexation to Gilsizer County Drainage District. The Gilsizer County Drainage District will handle storm drainage through the Yuba City Fire Department.

This annexation is a condition of the Bogue Stewart Master Plan (BSMP) and the Newkom Ranch tentative map conditions of approval. The environmental document for the project addressed the sphere of influence modification, municipal service review, and annexation to the City of Yuba City. The City of Yuba City sphere of influence was modified to cover this area in November 2020. Attachment 2 shows the Environmental Documentation which is included on LAFCo's Website www.sutterlafco.org.

B. Proposal and Justification:

The boundaries were determined by lands owned by Newkom Ranch LLC, Doug Peterson, Thiara, Caltrans, and Pacific Gas and Electric. Then working with City of Yuba City added a few additional parcels to avoid any islands. The boundary also was selected so there was over 1,500 feet of lands adjacent to City of Yuba City current City limits. Access to the area is from Bogue Road, Railroad, and Stewart Road. The Newkom Ranch Annexation is proposed as a landowner request with less than 12 registered voters. The City of Yuba City did a very detailed outreach process as part of the initial development of the Bogue Stewart Master Plan boundary.

C. Environmental Review

In 2020 LAFCo acted a responsible agency for the Sphere of Influence for the BSMP, which differs from being a lead agency. The California Environmental Quality Act (CEQA) defines a responsible agency as a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

The California Environmental Quality Act (CEQA) Guidelines, Section 15096 state that a responsible agency complies with CEQA by considering the EIR prepared by the lead agency. An EIR was adopted by the City of Yuba City as part of establishing the BSMP for its 741-acres, pre-annexation zoning for the BSMP area, the sphere of influence amendments and the subsequent annexations. The environmental review was previously affirmed by LAFCo in 2020 when the Commission adopted a Sphere of Influence amendment adding the 741-acre BSMP area into the City's Sphere of Influence.

There have been no changes or unusual circumstances that exist or could have exist after the initial City certification of the EIR and LAFCo affirmation of the EIR.

II. ANALYSIS

| | |
|-----------------------------|----------------------------------|
| A. Accepted for filing: | June 15, 2021 |
| B. Publication and Posting: | June 15, 2021 |
| C. Compliance with CEQA: | EIR Prepared per CEQA guidelines |
| Lead Agency: | City of Yuba City |
| Responsible Agency: | LAFCo |
| Environmental Finding: | EIR |
| Date of Finding: | Dec 17, 2019 |

D. Compliance with applicable Plans:

The proposed annexation is within the BSMP planning area and conforms to the Yuba City General Plan and the Yuba City Zoning Ordinance.

E. Compliance with applicable Spheres of Influence:

The proposed annexation conforms to the Gilsizer County Drainage District adopted Sphere of Influence, which includes the BSMP.

F. Existing Land Use and Zoning:

LAND USE DESIGNATIONS:

Low density residential (LDR), low-medium density residential (LMDR), medium-high density residential (MHDR), park, open space, community commercial (CC), neighborhood commercial (NC), Office and Office Park (O/OP), and public facilities.

ZONING:

Community Commercial Zoning District (C-2/SP-BSMP), Neighborhood Convenience Commercial Zoning District (C-1/SP-BSMP), Office Commercial Zoning District (C-/SP-BSMP), Single Family Residential Zoning District (R-1/SP-BSMP), Low-Medium Density Residential Zoning District (R-2/SP-BSMP), Multi-Family Residential Zoning District (R-3/SP-BSMP), and Public Facilities (PF/SP-BSMP).

DWELLINGS:

two

POPULATION:
voters).

Uninhabited (more than 12 registered

REGISTERED VOTERS:

Less than 12.

G. Landowner(s): 10 landowners

H. Existing Land Use and Zoning for Surrounding Territory:

The property is currently used for agriculture orchards and row crops. There are two (2) residential home site within the proposed annexation.

North: Single Family Residential

South: Single Family Residential

East: Single Family Residential

West: State Rt. 99

I. Proposed Development:

The annexation area is proposed for development

J. General Plan designation: The General plan designation of the proposed property is Bogue Stewart Master Plan. The General Plan designation includes

low density residential (LDR), low-medium density residential (LMDR), medium-high density residential (MHDR), park, open space, community commercial (CC), neighborhood commercial (NC), Office and Office Park (O/OP), and public facilities.

K. What are the General Plan Designations surrounding the subject property?

North: Neighborhood commercial, medium/low density residential, and low density residential

South: Low density residential

East: Low density and medium-high density residential

West: Open Space, community commercial, low density and medium-high density residential

L. Fiscal Data:

A Tax Agreement was adopted on October 26, 2021 between Sutter County and the Gilsizer County Drainage District. This agreement applies to the Newkom Ranch Annexation to the Gilsizer Drainage District. This agreement calls for a zero property tax exchange between Sutter County and the Gilsizer Drainage District pertaining to the future Newkom Ranch annexation into the Gilsizer Drainage District. (Resolution 21-064 "A RESOLUTION OF THE SUTTER COUNTY BOARD OF SUPERVISORS AUTHORIZING NO EXCHANGE OF PROPERTY TAX REVENUE BETWEEN SUTTER COUNTY AND THE GILSIZER DRAINAGE DISTRICT PERTAINING TO THE FUTRE ANNEXATION OF NEWKOM RANCH INTO THE GILSIZER DISTRICT" is shown as Exhibit C of LAFCo Resolution 2021-0006).

M. Existing and Proposed Service Agencies:

| Service | Existing Provider | Proposed Provider |
|-------------------------------------|--|-------------------|
| School Districts | Franklin Elementary, Yuba City Unified | Same |
| Fire Protection | Yuba City | Same |
| General Government | Yuba City | Same |
| Police Protection | Yuba City | Yuba City |
| Off-site Drainage and Flood Control | | Gilsizer Drainage |
| Water and Wastewater | Yuba City | Yuba City Same |
| Street Lighting | Yuba City | Yuba City |
| Roads | Yuba City | Yuba City |
| Emergency Services | Yuba City | Same |

III. POLICY ANALYSIS - Annexation

1. GOVERNING LAW

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government. Section 56668 of the Government Code states the following:

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

- (a) *Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.*
- (b) *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; 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. "Services," as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.*

- (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.*
- (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 set forth in Section 56377.*
- (e) *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.*
- (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.*
- (g) *A regional transportation plan adopted pursuant to Sections 65080.*
- (h) *Consistency with city or county general and specific plans.*
- (i) *The sphere of influence of any local agency which may be applicable to the proposal being reviewed.*
- (j) *The comments of any affected local agency.*
- (k) *The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.*
- (l) *Timely availability of water supplies adequate for projected needs as specified in Section 65352.5*
- (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.*
- (n) *Any information or comments from the landowners, voters, or owners.*
- (o) *Any information relating to existing land use designations.*
- (p) *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.*
- (q) *Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be 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.*

These factors will be reviewed with regard to the Newkom Ranch Gilsizer Annexation to the Gilsizer County Drainage District

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

According to the State Dept of Finance the January 1, 2021, population estimate for the City of Yuba City is 70,776. The population of the annexation at full build out of the 222-acre territory assuming an average of 4 units to the acre and a population of 2.93 per equivalent dwelling unit would be approximately 2,602 (based on the 2000 census and a household size factor of 2.93 persons).

- (b) *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; 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.*

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

The need exists for drainages service meeting state standards. All services in the annexation area are as described in the Plan for Services.

- (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.*

This annexation will bring the 183 acres of the 222-acre Newkom Ranch into the City.

- (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 set forth in (Government Code) Section 56377.*

The proposed annexation is within the Gilsizer County Drainage District sphere of influence, as amended in July 2021. The proposed development conforms to the City's Zoning and General Plan and will be controlled by a Development Agreement.

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

This development is not in an agricultural area and is located in the Sphere of Influence for the City. This area is located adjacent to the existing previously developed city limits and unincorporated developed area.

- (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 boundaries are definite and certain and follow assessment boundaries

- (g) *A regional transportation plan adopted pursuant to Sections 65080.*

The land uses in the annexation area and BSMP are consistent with the Regional Transportation Plan

- (h) *Consistency with city or county general and specific plans for Mixed-use development*

The proposed annexation is located within the BSMP, which is a master plan for the 183-acre annexation area as well as the entire 741-acre BSMP consistent with the Yuba City General Plan and Zoning Ordinance.

- (i) *The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.*

The annexation does not conflict with the Sphere of Influence of any other agency.

- (j) *The comments of any affected local agency.*

No comments have been received.

- (k) *The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.*

The Gilsizer Drainage District has the ability to provide the annexation area with safe and reliable drainage services.

- (l) *Timely availability of water supplies adequate for projected needs as specified in Section 65352.5*

Yuba City is able to provide domestic water service as well as other services this area as development occurs.

- (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.*

The Newkom Ranch, the remaining BSMP area and the City's General Plan (Housing Element) consider regional housing needs for the City as a whole.

(n) *Any information or comments from the landowner, voters, or owners.*

The landowners are in favor of the annexation and have petitioned LAFCo for Annexation with unanimous consent notwithstanding PG&E and the State of California.

(o) *Any information relating to existing land use designations.*

The proposed project conforms to the City General Plan and Zoning Ordinance as amended by the BSMP. Land use designations are for mixed-use development as enumerated above.

(p) *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.*

There are no issues associated with environmental justice with this proposal.

(q) *Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be 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.*

The Newkom Ranch territory will be placed into the Local Responsibility Area, as is the surrounding area albeit the CSA G will continue to provide services as a pass-through funding agency. This existing development is not located in a high fire intensity zone. The City currently provides fire and EMS services to the area and will continue to do so after developed.

2. Sutter LAFCO General Policies

| Policy | | Comment |
|--|--|---------|
| Communication between local agencies is encouraged. | Communication has occurred throughout the process on a regular basis. Consistent | N/A |
| Urban development proposals shall include annexation to a city where possible. | Consistent The City is applying for annexation | |
| LAFCO will normally deny proposals that result in urban sprawl. | This application is part of the BSMP approved | |

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| | as part of the City's General Plan. | |
| Environmental consequences (CEQA) shall be considered. | Consistent | EIR prepared and previously certified by the City and LAFCo for the SOI |
| LAFCO will consider the impact of a proposal on the regional supply of housing for all income levels. | Consistent | |
| LAFCO will favor proposals that promote compact urban form and infill development. | Consistent as the BSMP is part of the City's GP | LAFCo has included the BSMP in its SOI |
| Government structure should be simple, accessible, and accountable. | Consistent | There is no indication of unnecessary complexity or lack of accessibility or accountability. |
| Agencies must provide documentation that they can provide service within a reasonable period of time. | Consistent | An EIR, MSR and SOI document Yuba City is able to provide services within a reasonable period of time, Newkom ranch has a plan for services and a development agreement |
| Efficient services are obtained when proposals: Utilize existing public agencies. Consolidate activities and services. Restructure agency boundaries to provide more logical, effective, and efficient services. | Consistent | Yuba City will be the provider of serves for this annexation |
| Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated. | N/A | |
| Conformance with general and specific plans required. | Consistent | Yuba City General Plan is the controlling document. Newkom Ranch is consistent. |
| Boundaries: Definite boundaries are required. Boundaries that are favored: Create logical boundaries & eliminate islands or illogical boundaries. | Consistent | |