



Solano Local Agency Formation Commission

3700 Hilborn Rd. Ste. 600 • Fairfield, California 94534
(707) 439-3897 • FAX: (707) 438-1788

Staff Report

DATE: June 9, 2014

TO: Local Agency Formation Commission

FROM: Elliot Mulberg, Interim Executive Officer
Michelle McIntyre, Analyst

SUBJECT: **2014-03 Vanden Meadows Reorganization**

RECOMMENDATION:

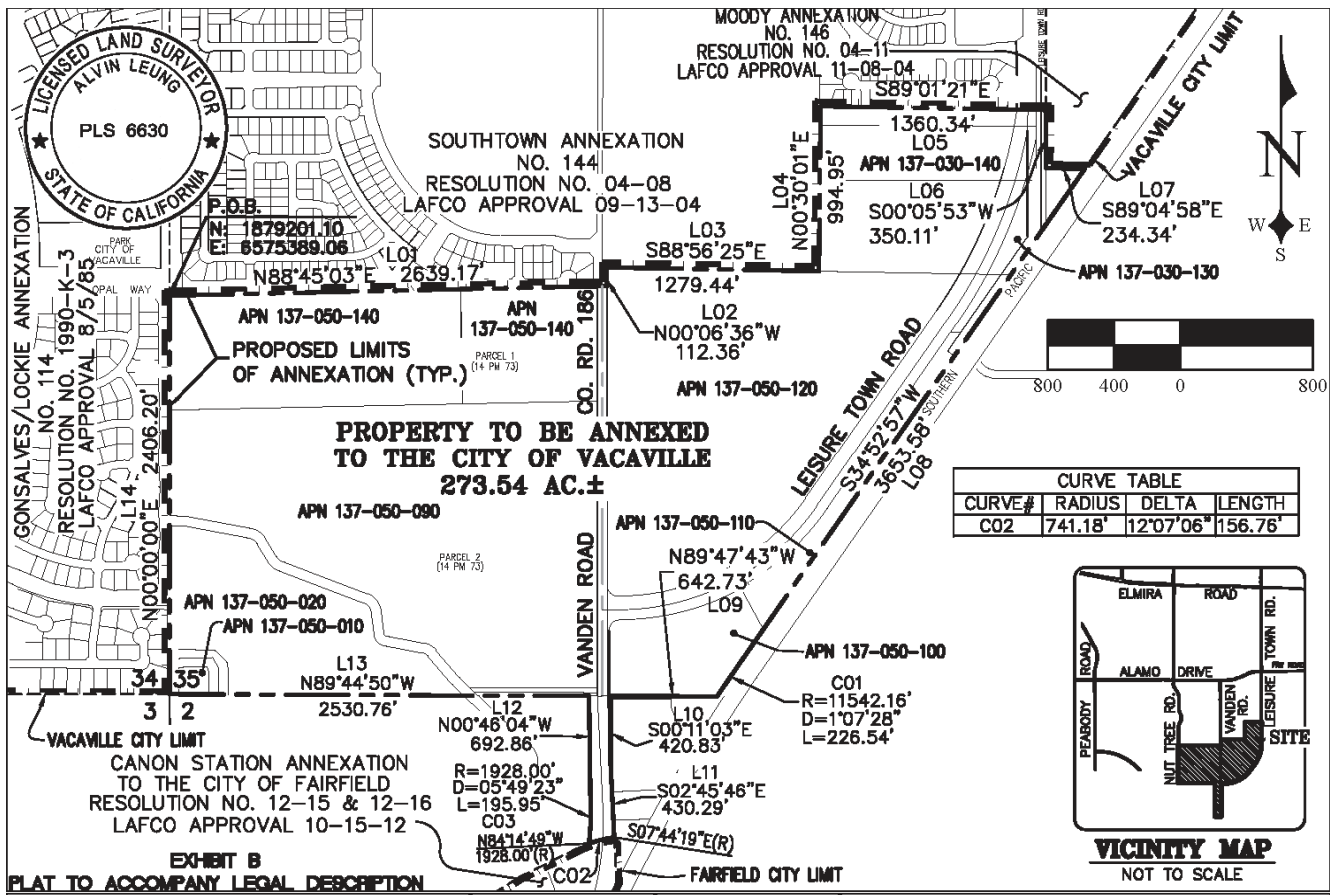
Staff recommends the Commission

1. Certify the Vanden Meadows Specific Plan Final Environmental Impact Report including Statement of Overriding Considerations and Mitigation and Monitoring Program conducted by Vacaville pursuant to CEQA as adequate for LAFCO purposes.
2. Approve the reorganization subject to the terms and conditions outlined in the attached resolution.
3. Waive the protest hearing proceedings.

PROPOSAL: 2014-03 Vanden Meadows Reorganization - Annexation to the City of Vacaville and the Vacaville-Elmira Cemetery District, and Detachment from the Vacaville Fire Protection District and County Service Area (APNs: 0137-030-130, -140, 0137-040-010, -0137-050-010, -020, -090, -100, -110, -120, -130, -140)

Proposal Summary:

The Solano LAFCO Commission has received a reorganization application by resolution from the City of Vacaville requesting annexation of approximately 274 acres. The proposed reorganization also includes concurrent annexation of the proposal area to: Vacaville-Elmira District; detachment from the Vacaville Fire Protection District; and detachment from the County Service Area for lighting. The project area is generally located south of the Southtown residential development, east of Nut Tree Road, and west of Leisure Town Rd. The purpose of the proposal is to implement the Vanden Meadows Specific Plan which, if approved for reorganization, would result in the development of approximately 790 single family homes, a 28 acre school site, and a 7.5 acre park. Below is a boundary exhibit to assist in indentifying the proposal area.



BACKGROUND:

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code Section (GC §) 56375. LAFCOs are authorized with broad discretion in amending and conditioning change of organizations or reorganizations as long as they do not directly regulate land use density or intensity, property development or subdivision requirements. The decision of the Commission with regard to a proposal to annex territory into a city shall be based upon the general plan and pre-zoning of a city.

ANALYSIS:

GC §56668 – Factors to be Considered in Review of a Proposal:

The Commission is required to consider 15 (a-o) specific factors when reviewing proposals for a change of organization to help inform the Commission in its decision making process. An evaluation of these factors follows:

(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.

No.	APN	Acreage	Land Use**	Value Unrestricted	Values Full Cash
1	0137-030-130	1.63	Gov't. & Misc.	0	0
2	0137-030-140	44.58	Vacant Residential Land	1132200	1132200
3	0137-040-010	0.89	Gov't. & Misc	0	0
4	0137-050-010	0.12	Gov't. & Misc	0	0
5*	0137-050-020	25.36	Range and Watershed	206281	150156
6	0137-050-090	75.11	Agricultural Property	258921	258921
7	0137-050-100	9.73	Gov't. & Misc	52391	52391
8	0137-050-110	5.65	Gov't. & Misc	20790	20790
9	0137-050-120	53.04	Vacant Residential Land	1363230	1363230
10	0137-050-130	28.41	School	0	0
11	0137-050-140	11.46	Agricultural Property	37460	37450

*APN 0137-050-020 is under Williamson Act Contract #573; an analysis follows under LAFCO Standard 7.

**Land Use information source <http://www.solanocounty.com/depts/ar/viewpropertyinfo.asp>

The proposal area is considered uninhabited with a relatively flat topography and an existing drainage basin in the southeast section of the proposal area. Located north and west of the proposal area are existing residential developments and south and east of the proposal area are agricultural/open space lands. The agricultural/open space land to the south, is within the City's SOI; however, this land is within the Greenbelt and will not be developed. The proposal area is bordered on the east by the Union Pacific Railroad, and beyond the tracks by an existing a golf course. This area is outside the City's SOI and there is no likelihood of significant growth during the next 10 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; 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.

Fire Protection and Emergency Medical Service

The Vacaville Fire Protection District is currently responsible for providing fire protection to the affected territory. Upon approval, the City of Vacaville Fire Department will be responsible for fire protection and emergency medical service. The Vacaville municipal service review found that the City has established a response time standard of 7 minutes 90 percent of the time. This goal is met in most areas of the City, however; the goal is not met in new partially built out areas. A new fire station, Station 75, is planned to serve Vanden Meadows and Southtown to help meet response standards in those areas. The City of Vacaville has established Community Facilities Districts to provide ongoing funding to mitigate the additional cost of providing public safety services.

Law Enforcement Service

The Solano County Sheriff's Office is currently the agency responsible for providing law enforcement services to the affected territory. Upon approval, the City of Vacaville Police Department will become the agency responsible for law enforcement. The City has established a response time standard for the Police Department of 6 minutes for priority one calls and 15 minutes for priority two calls. At present, response times exceed the standards with an average of 7.1 minutes for priority one and 15.54 minutes for priority two calls.

Law enforcement is funded through the General Fund. New subdivisions generally include funding for law enforcement through Community Facilities District assessments as part of the development agreement. Upon LAFCO approval, the City's policy require Vanden Meadows be included in the Southtown Community Facilities District.

Sewer Service

Upon development, the homes will receive on-site sewage disposal in accordance with City code standards and requirements. The City's municipal service review found the sizing of the Easterly Wastewater Treatment Plant facility, which is owned and operated by the City, is predicated on existing General Plan land use and growth assumptions. The Vanden Meadows Specific Plan area is within the City's existing General Plan development area.

Water Service

The proposal area will continue to be served by the Solano Irrigation District, until final maps have been approved by the City. Upon approval of the final maps, the City and the Solano Irrigation District have an existing agreement in place that SID will provide non-potable irrigation water, for landscaping purposes, while the City will provide potable water. The Vacaville water system receives water from several sources, including Solano Project water

from the Lake Berryessa reservoir, State Water Project water, Settlement Water from the North Bay Aqueduct (NBA), and groundwater from local city wells. Water supply for the City comes from both surface water and groundwater. The municipal service review found no capacity or service issues related to water.

Parks and Recreation

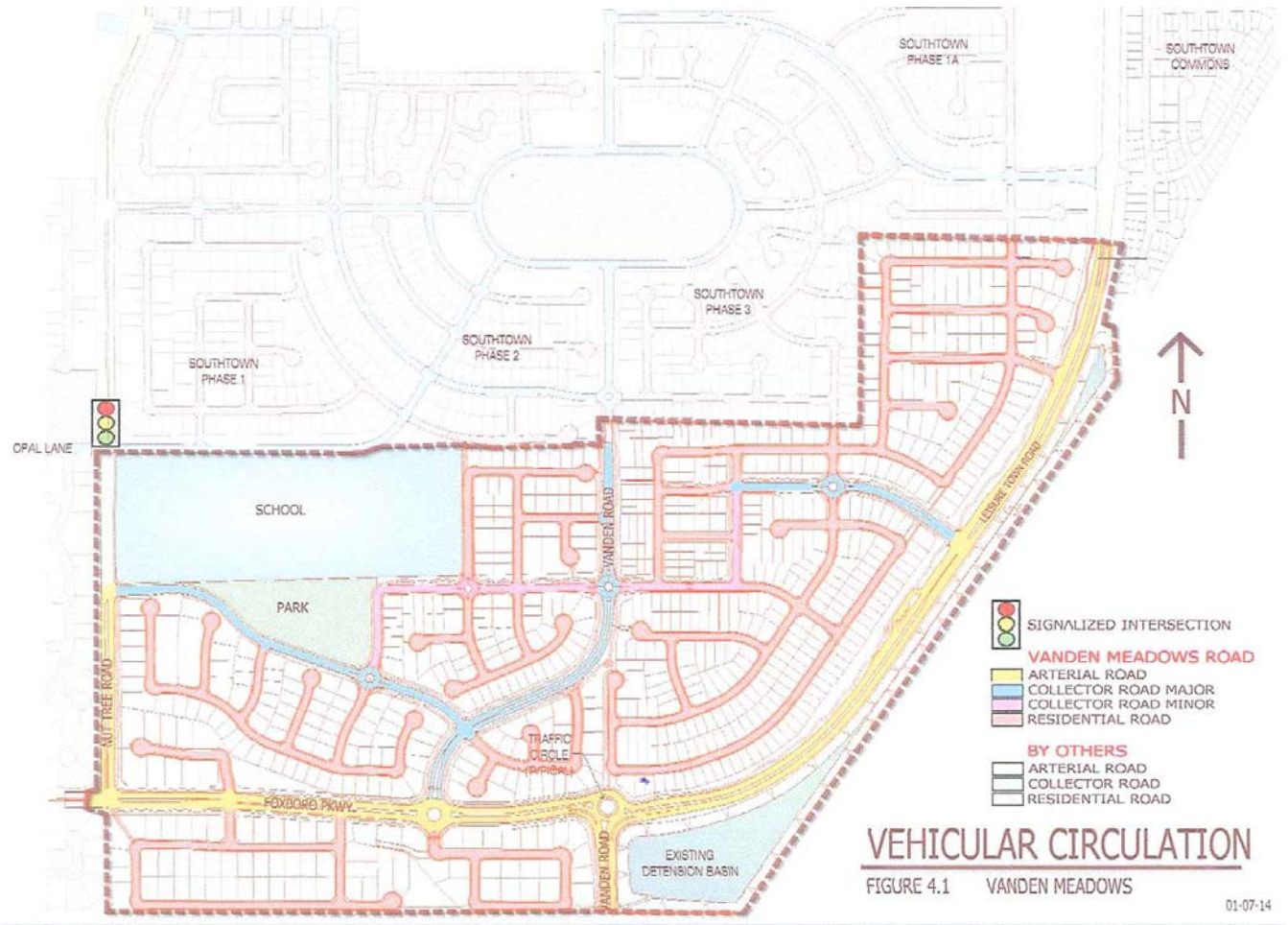
As previously noted, a 7 acre park is planned as part of the Vanden Meadows Specific Area. Vacaville does not currently have a Quimby Ordinance; therefore new residential developments are required to include acreage for new parks through Development Agreements. Development of parks may be done by the developer or through the CIP Program funded by Development Impact Fees and maintained with Landscape and Lighting Districts. The Southeast Vanden Benefit District includes park and recreation infrastructure components. More details of the improvement districts follows in the report.

Public Works

The proposed development will require roadway improvements that are discussed in more detail below.

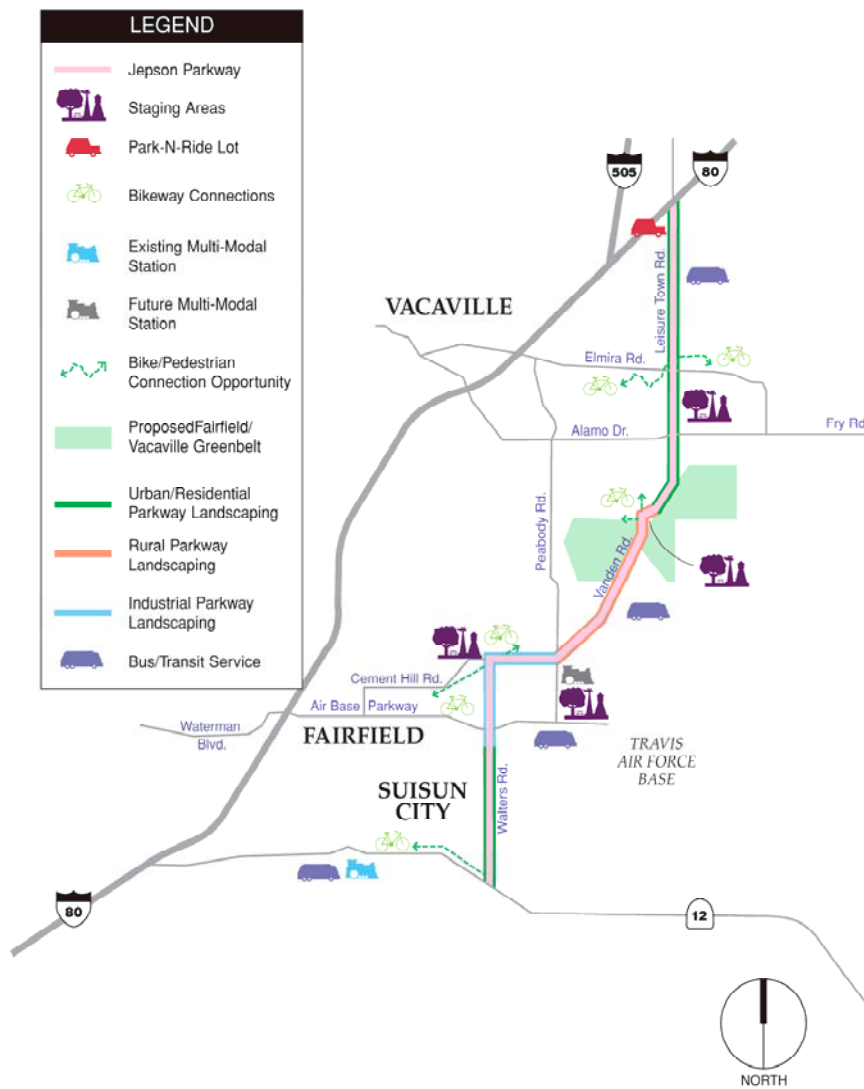
(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The reorganization proposal will have an effect on adjacent areas in that it lead to the construction of Foxboro Parkway which will provide a transportation link for residents from Nut Tree Road to the intersection of Vanden Road and Leisure Town Road. Foxboro Parkway is identified as a major arterial within the City's General Plan.



A section of Leisure Town Road is located within the proposal area and will benefit from major improvements as part of what will be Jepson Parkway. Upon completion, Jepson Parkway will provide a link from Highway 12 in Suisun to Vanden Road in Fairfield/Vacaville, Leisure Town Road in Vacaville, and finally to Interstate 80.

JEPSON PARKWAY CONCEPT PLAN



(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.

Section 56377 requires the Commission to consider guiding development away from existing prime agricultural lands in open space toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

In order to evaluate this factor the Commission must first determine whether the proposal area contains prime agricultural land. "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for rating 80 through 100 Storie Index Rating.
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

The Vanden Meadows Final EIR shows the proposal area contains approximately 98.62 acres of Prime Farmland which are class I and class II soils (Table 4.3-1). LAFCO staff was able to confirm this information using the USDA Natural Resources online mapping tool. The City of Vacaville, per their policy, used the CEQA Guidelines (Appendix G, environmental checklist) and found 68.83 acres of land that meet that definition, 30 acres less than the definition LAFCO is directed to use in its evaluation of the proposal. The mitigation measures the City adopted is based on the Mitigation Measure 4.3-1 requires, in summary, the applicant to preserve 68.83 acres of active farmland in Solano County, by fees, or some other method as determined by the Vacaville City Council.

Staff recommends the Commission consider encouraging the City and developer to mitigate for the loss of the additional 30 acres of prime agricultural lands. In response to the first part of the policy, the proposed annexation contains prime agricultural lands.

The question remains whether the proposed annexation would promote the planned, orderly,

efficient development of an area. Solano LAFCO Standard 9 Evaluation Criteria 2b states the Commission may approve an annexation if, “the proposed annexation either abuts a developed portion of the agency or abuts properties which already are committed to urban development by the extension of streets and other public facilities where service extensions were predicated on adjacent lands within the proposed annexation area being developed to assist in meeting bond obligations or other financial instruments against the property.” The proposal area meets these criteria in that it abuts the existing Southtown Development and it includes land that is committed to the extension of Jepson Parkway. Therefore staff concludes that even though the proposed annexation area includes prime agricultural land the annexation would promote planned orderly development.

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

Pursuant to GC Section 56016 "Agricultural lands" is defined as land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.

Within the proposal area, there are approximately 28 acres subject to an agricultural preserve contract (Williamson Act Contract #573). The property owners filed a notice of non-renewal with Solano County on Sep. 05, 2012. LAFCO’s Standard Number 9 Evaluation Criteria #5 states the Commission may approve an annexation if a notice of non-renewal of lands subject to a Williamson Act contract has been filed. (As required by Commission policy, staff has received proof of the filed/recorded notice). The exhibit to the right shows those lands subject to Williamson Act contracts within the proposal area and the immediate vicinity. If the annexation is approved, the City of Vacaville will succeed to the Williamson Act lands.



SOURCE: Solano County General Plan, 2006, AES 2011
Hendon Meadows Specific Plan and Development Project EIR / 210132 ■
Figure 4.3-2
Williamson Act Parcels - Existing Setting

The Vanden Meadows Final EIR shows the proposal area contains approximately 98.62 acres of Prime Farmland which are class I and class II soils (Table 4.3-1). LAFCO staff was able to confirm this information using the USDA Natural Resources online mapping tool. The City of Vacaville, per their policy, used the CEQA Guidelines (Appendix G, environmental checklist) and found 68.83 acres of land that meet that definition, 30 acres less than the definition LAFCO is directed to use in its evaluation of the proposal. The mitigation measures the City adopted is based on the Mitigation Measure 4.3-1 requires, in summary, the applicant to preserve 68.83 acres of active farmland in Solano County, by fees, or some other method as determined by the Vacaville City Council.

Staff recommends the Commission consider encouraging the City and developer to mitigate for the loss of the additional 30 acres of prime agricultural lands. In response to the first part of the policy, the proposed annexation contains prime agricultural lands.

(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.

Maps and legal boundary descriptions were prepared identifying the boundaries of the affected territory in accordance with the requirements of the State Board of Equalization, Solano County Assessor's Office, and LAFCO.

Staff recommends if approved, the Commission condition the reorganization approval to include APN 0136-040-010, a .89 acre triangle located northeast of the proposal area. Not including the small triangular shaped parcel in the proposal would create an island that is surrounded on two sides of the City and one side by the railroad tracks. Solano LAFCO's Standard Number 7(a) states that the Commission will consider those annexations that do not create islands as "favorable."

The subject parcel is owned by the Pacific Railroad Company and is used as a parking site for their equipment; no further development is planned for this parcel. As previously noted the parcel has zero value and therefore including it in the proposal area does not affect the tax exchange amongst the affected agencies. Additionally, the railroad company was noticed in accordance with the CKH Act and staff has not received a response. At the request of LAFCO staff, the proponent has provided an amended map and legal description which includes the parcel.

(g) Consistency with city or county general and specific plans.

The proposed annexation area is included in the Vanden Meadows Specific Plan. On September 24, 2013 the City Council of the City of Vacaville approved the Vanden Meadows Specific Plan by Resolution 2013-075 and found the plan to be consistent with their General Plan, Zoning Ordinance, and Development Code. On March 11, 2014 the City Council approved an amendment to the Vanden Meadows Specific Plan area E to re-designate the 7.9 acre site from apartments to Single Family Residential and found the amendment to be consistent with the goals, objectives, and policies of the City's General Plan, the Zoning Ordinance, and the Development Code.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The proposal area abuts the SOI of the City of Fairfield to the South. The City of Fairfield did not provide comments specific to the proposal area, but did provide comments for Vacaville's Municipal Service Review and Sphere of Influence Update. Those comments are included as part of the

appropriate projects.

The proposal area is in the SOI of the Vacaville-Elmira Cemetery District. The City and District have agreed to form a Communities Facilities District to offset the costs associated with providing cemetery services to the proposal area.

(i) The comments of any affected local agency or other public agency.

The proposal was noticed in accordance with the CKH Act and the Brown Act, to date, staff has not received comments from any affected local agency or other public agencies.

(j) 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.

As previously noted, the City of Vacaville will provide urban services upon approval of the reorganization. The Vacaville Municipal Service Review found the City of Vacaville has sufficient capacity to provide services. There are no revenue issues.

According to the applicant, in 2004 it was determined that the costs of the backbone infrastructure should be shared among the developers of Southtown and Vanden Meadows. The total projected infrastructure would cost approximately \$24.5 million but the initial developer (DR Horton) was required to install far more than their fair share of these improvements. The Southeast Vanden Benefit District was established in 2004 (and last amended in February 2014) by the Vacaville City Council to reimburse DR Horton and fairly spread the costs of the remaining infrastructure as it is installed by subsequent developers. The Benefit District has been in place and has proven very effective in distributing costs and ensuring that needed facilities are constructed timely. Nineteen different infrastructure components are identified in the District including: Sanitary Sewer Improvements; Detention Basin; Conveyance of City Drainage; Undergrounding of the SID Canal; Infrastructure Studies; Well Site; Park Land Dedication; Oversizing of Arterial Water Mains; Pedestrian Facilities at Vanden Bridge; School District's Share of Costs; Northeast Sector Drainage; Vanden Road Drainage; A Permanent SID Pump Station; Downstream Drainage Mitigations; Off-site Traffic Mitigations; Drainage Diversion Wall; Nut Tree Widening Done by the TUSD; and School Street within Vanden Meadows.

(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

The proposal area will continue to be served by the Solano Irrigation District, until final maps have been approved by the City. Upon approval of the final maps, the City and the Solano Irrigation District have an existing agreement in place that SID will provide non-potable irrigation water, for landscaping purposes, while the City will provide potable water. The Vacaville water system receives

water from several sources, including Solano Project water from the Lake Berryessa reservoir, State Water Project water, Settlement Water from the North Bay Aqueduct (NBA), and groundwater from local city wells. Water supply for the City comes from both surface water and groundwater. The municipal service review found no capacity or service issues related to water.

(l) 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.

On January 10, 2013 the Solano County City-County Coordinating Council adopted by Resolution the Solano County Sub-Regional Housing Allocation (RHNA) for 2014-2022. For the City of Vacaville, the agreement amongst the jurisdictions allocated the following number of housing units:

City of Vacaville Regional Housing Needs Allocation by Income Level

Very Low	Low	Moderate	Above Moderate	Total
287	134	173	490	1,084

Approval of the proposal could help the City in achieving their respective share of the regional housing needs.

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

As of the writing of this report, staff has not received any information or comments from the landowner(s), voters, or residents in the affected territory.

(n) Any information relating to existing land use designations.

No.	APN	Existing County Land Use
1	0137-030-130	Gov't. & Misc.
2	0137-030-140	Vacant Residential Land
3	0137-040-010	Gov't. & Misc
4	0137-050-010	Gov't. & Misc
5	0137-050-020	Range and Watershed
6	0137-050-090	Agricultural Property
7	0137-050-100	Gov't. & Misc
8	0137-050-110	Gov't. & Misc
9	0137-050-120	Vacant Residential Land
10	0137-050-130	School
11	0137-050-140	Agricultural Property

Land Use information source <http://www.solanocounty.com/depts/ar/viewpropertyinfo.asp>

(o) 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.

At this time, there is no documentation or evidence suggesting the proposal will have a measurable effect for or against promoting environmental justice.

SOLANO LAFCO POLICIES AND STANDARDS

GC §56375(g) Written Standards:

LAFCOs are required to adopt written procedures for the evaluation of proposals, including written definitions consistent with existing state law. The following is an analysis of the proponent's submitted responses to the LAFCO's adopted standards.

Use and Application of LAFCO Standards:

The Standards adopted by LAFCO are to be seen as guidelines against which to measure the appropriateness and correctness of a proposal. Some Standards are quantitative in that specific information and minimum submittal requirements are stipulated. Other standards are qualitative and require specific documentation by the applicant.

The concept of adopting standards implies an assessment of a proposal to determine conformity. Each standard must have sufficient clarity and specificity so that compliance can be determined with a degree of certainty and reasonableness. And yet, it is not possible or desirable in issues as complex as land use planning and annexation to have standards that are literally absolute; flexibility must be retained if only because no two proposals are alike.

One of the objectives of LAFCO, according to the CKH Act, is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local government (GC §56301). This implies an analytical process that weighs the merits of each proposal on an individual basis. Indeed, the legislative purpose of the CKH Act was to vest the LAFCO with substantial authority and discretion to review proposals in keeping with specific public purposes. The standards, then, must encourage independent judgment by LAFCO based on a reasoned analysis of required documentation.

For most proposals of a smaller nature, compliance with the Standards will be obvious. For larger projects, including those which are to be phased in over a several-year period, full compliance with each Standard may not be as obvious. For example, a project may lead to the conversion of prime agricultural land to urban use; if, however, guiding development away from prime agricultural lands should not promote the planned, orderly, efficient development of the area, such conversion could be approved. In another instance, a full range of services may not be available based on will serve letters from affected agencies. LAFCO, based on its discretion and on analysis of additional information, could determine that adequate alternative services can or will be made available.

In the final analysis, the reasoned judgment of LAFCO will be required to determine compliance with each Standard. In deciding on change of organization/reorganization proposals, LAFCO shall make determinations on the degree of compliance or non-compliance for each Standard citing facts to support each determination. Six of the Standards (numbers 1- 6) are mandatory; LAFCO must make determinations of full compliance with the mandatory standards to approve a proposal. The other five standards (numbers 7- 11) are discretionary; LAFCO may make determinations of less than full compliance with one or more of the discretionary standards and still have the discretion to approve or deny a proposal. The determinations under each discretionary standard must be weighed against each other and that when taken as a whole; the proposal must meet the purpose and intent of LAFCO in providing for planned, orderly, and efficient patterns of urban development. Therefore, in the event that determinations of less than full compliance have been made on one or more of the discretionary standards, LAFCO must make specific findings of fact identifying overriding considerations that justify the decision to approve the proposal.

Mandatory Standards:

As previously noted, LAFCO must make determinations of full compliance with the mandatory

Standards to approve a proposal.

**STANDARD NO. 1: CONSISTENCY WITH SPHERE OF INFLUENCE
(SOI) BOUNDARIES**

Explanation: An area proposed for change of organization or reorganization shall be within the affected agency's Sphere of Influence. An application for change of organization or reorganization for lands outside an adopted Sphere of Influence may be considered concurrently with a request for amendment to the Sphere of Influence, at LAFCO's discretion.

Analysis: Prior to consideration of this change of organization, it is anticipated the Commission will approve an update the City's SOI, therefore if the Commission approves the SOI Update; the proposal meets this standard. Should the Commission continue the SOI Update to a subsequent LAFCO meeting, the reorganization proposal must also be continued.

**STANDARD NO. 2: ANNEXATION TO THE LIMITS OF THE SPHERE OF INFLUENCE (SOI)
BOUNDARIES**

Explanation: Annexation to the limits of the SOI boundary shall not be allowed if the proposal includes land designated for open space use by the affected city's general plan for city change of organization or reorganization or County General Plan for district change of organizations or reorganization unless such open space logically relates to existing or future needs of the agency. Open space uses which may be located within agency limits include but are not limited to community and city-wide parks, recreation facilities, permanently protected open space lands, reservoirs, and storm water detention basins.

Analysis: The project area is not designated as Open Space in Vacaville's General Plan. This standard has been met.

**STANDARD NO. 3: CONSISTENCY WITH APPROPRIATE CITY GENERAL PLAN, SPECIFIC PLAN,
AREA-WIDE PLAN AND ZONING ORDINANCE**

Explanation: An application for a city change of organization or reorganization which involves the conversion of open space lands to urban use shall be denied by LAFCo if the proposed conversion is not consistent with appropriate city plans (general plans, specific plans, area-wide plans and associated zoning ordinance). The determination of consistency shall be the responsibility of the affected agency, and shall be met by a resolution approved by the agency council certifying that the proposed change of organization or reorganization meets all applicable consistency requirements of State Law, including internal consistency between the agency's adopted plans and the zoning ordinance. In the event that plan consistency is contested, LAFCo shall retain the discretion to determine the consistency question and may require additional environmental information.

Analysis: The Vacaville City Council determined the proposal is consistent with their General Plan and Land Use & Development Code and approved Resolutions 2013-073 and 2013-075 and Ordinance 1855. (These documents are attached as part of the Commission's packet)

More specifically, on September 24, 2013, the Vacaville City Council adopted Resolution No. 2013-073 and Ordinance 1855. Resolution 2013-073 Certified the Environmental Impact Report for the Vanden Meadows Specific Plan and Development Project. Resolution 2013-075 adopted the Vanden Meadows Specific Plan. Ordinance 1855 rezoned the project area: RE-10; RL-6; RL-5; RLMD-4.5; RMD; RHD; CF, and AG for the Vanden Meadows Specific Plan and Development area. The Ordinance stated that those properties to be zoned AG- Agriculture is used as an interim zoning designation as specified in Chapter 11, Table 11-1 of the General Plan.

Further, the Ordinance states:

1. The proposed zone change is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Land Use and Development Code, including the designation of the AG, Agriculture, zone for parcels which do not have a current subdivision proposal pending and for the roadway annexation to accomplish the Jepson Parkway Plan.
2. The proposed zone change would not be detrimental to the public health, safety, or welfare of the community.
3. The proposed zone change would maintain the appropriate balance of land uses within the City, including meeting the housing mix goals for new development areas.
4. The anticipated land uses on the subject site would be compatible with the existing and future surrounding uses.
5. The potential impacts to the City's inventory of residential lands has been considered.

6. The proposed zone change is consistent with the development related applications that is being processed and approved concurrently with the General Plan amendment and other project applications, including the use of the AG zone district as an interim zoning for properties being annexed prior to development proposals being prepared, as specified in Chapter 11, Table 11-1 of the General Plan.

There is sufficient evidence from the applicant that the proposal fully meets this standard; the reorganization is consistent with their General Plan, Specific Plan, and zoning ordinance.

STANDARD NO. 4: CONSISTENCY WITH THE COUNTY GENERAL PLAN OF PROPOSED CHANGE OF ORGANIZATION OR REORGANIZATION OR REORGANIZATION OUTSIDE OF A CITY'S SPHERE OF INFLUENCE BOUNDARY

Explanation: An application for a change of organization or reorganization for lands outside an adopted city Sphere of Influence boundary in unincorporated territory, shall be denied by LAFCo if the land use proposed within the affected territory is not consistent with the Solano County General Plan and Zoning Ordinance. A determination of consistency shall be the responsibility of the County, and shall be met by a resolution of the Board of Supervisors certifying that the proposed change of organization or reorganization meets all applicable consistency requirements of State Law, including internal consistency between the County's General Plan and Zoning Ordinance. This Standard shall also be made to apply to proposals for the formation or the incorporation of new agencies within unincorporated territory which lies outside adopted city Sphere of Influence boundaries.

Analysis: As previously noted, prior to consideration of this change of organization, it is anticipated the Commission will approve an update to the City's SOI, therefore if the Commission approves the SOI Update; the proposal meets this standard. Should the Commission continue the SOI Update to a subsequent LAFCO meeting, the subject proposal must also be continued.

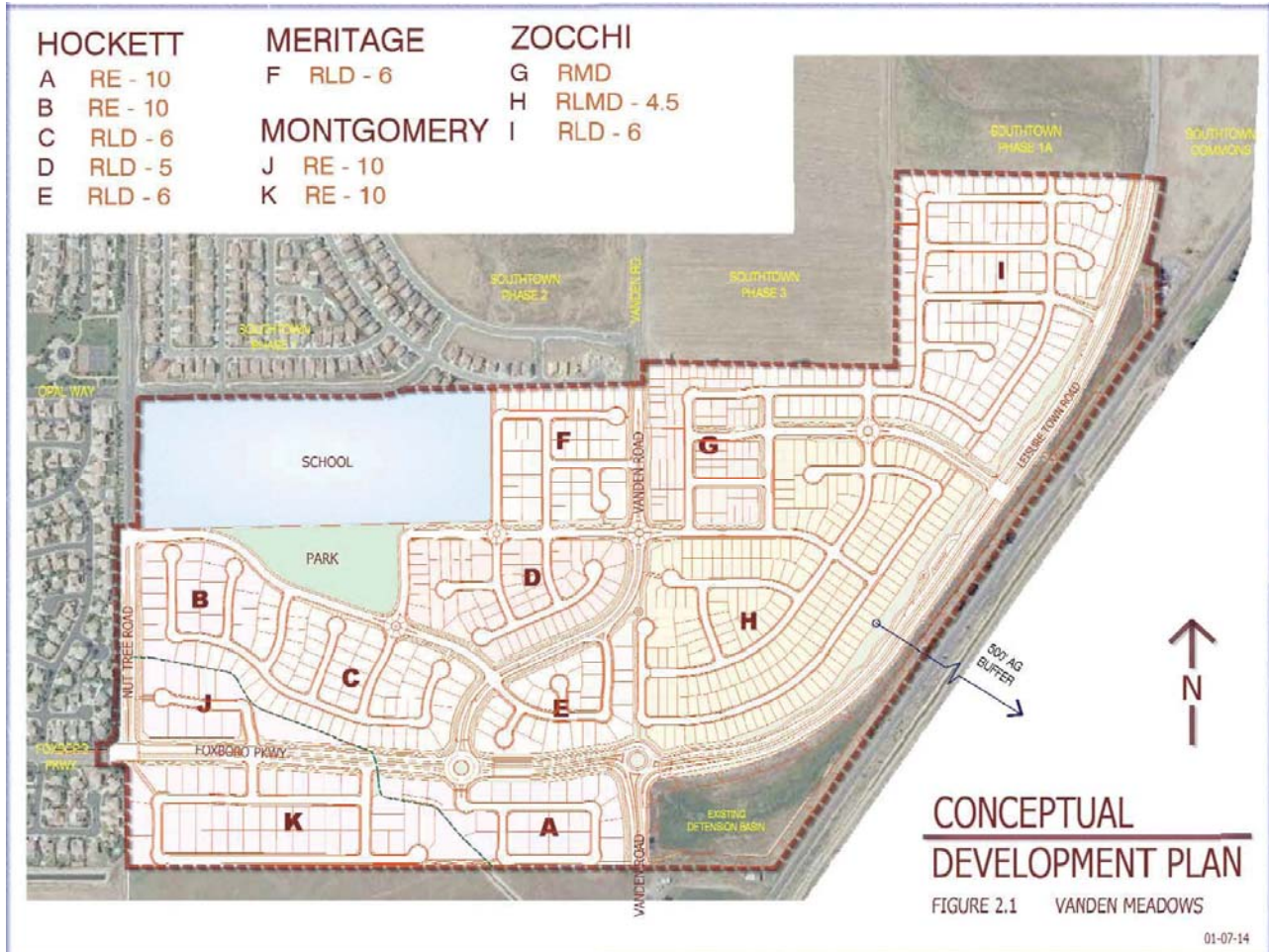
STANDARD NO. 5: REQUIREMENT FOR PRE-APPROVAL

Explanation: Prior to approval by LAFCo of a city change of organization or reorganization, the affected agency shall have approved, a specific plan, pre-zoning or an equivalent providing similar detail of information on the proposed land use for the affected territory and where the change of organization or reorganization process is clearly described. Prior to approval by LAFCo of a district change of organization or reorganization, the affected agency shall pass a resolution supporting the proposal.

Prior to approval of annexation by LAFCO, the affected agency shall have granted one or more of the following development approvals: (a) rezoning, (b) area-wide plan, (c) specific plan, or (d) development agreement.

Analysis: There is sufficient evidence the applicant has met all requirements of this standard, and has

provided the necessary documentation, below is an exhibit and a list of the specific approvals. It is worth noting the CKH Act specifically states the zoning may not be changed for two years after LAFCO approval absent extraordinary circumstances.



On September 24, 2013, the Vacaville City Council adopted the following:

- Resolution 2013-073 - Resolution Certifying the Environmental Impact Report for the Vanden Meadows Specific Plan and Development Project
- Resolution 2013-074 - Resolution of the City Council of the City of Vacaville Requesting the Solano Local Agency Formation Commission to Initiate Proceedings for the Vanden Meadows Specific Plan and Development Area Annexation
- Resolution 2013-075 - Resolution Approving the Vanden Meadows Specific Plan
- Ordinance No. 1855 - Ordinance Amending the Municipal Code by Change of Zoning Map for the Vanden Meadows Specific Plan and Development Area

Further on March 11, 2014, the City Council adopted the following to complete the required pre-approvals:

- Resolution 2014-026 – Resolution of the City Council of the City of Vacaville Reaffirming the Environmental Impact Report for the Vanden Meadows Specific Plan and Development Project for the Parkside Project (APN: 137-050-140);
- Resolution 2014-027 – Resolution of the City Council of the City of Vacaville Reaffirming the Environmental Impact Report for the Apartment Site (Area E) of the Vanden Meadows Specific Plan;
- Resolution 2014-028 – Resolution of the City Council of the City of Vacaville Approving a General Plan Land Use Element Text Amendment to Policy 2.5-G 2 and Policy 2.5-I 3 to Not Require Vanden Meadows Specific Plan to have a Residential High Density Element;
- Resolution 2014-029 – Resolution of the City Council of the City of Vacaville Approving an Amendment to the Vanden Meadows Specific Plan for Area E, a 7.9 Acre Area of a Larger 75.11 Acre Parcel (APN: 137-050-090), to Redesignate the Site from Apartments to Single Family Residential;
- Ordinance No. 1863 – Ordinance of the City Council of the City of Vacaville Amending the Zoning Designation for an 11.46 Acre Parcel (APN 137-050-140) from Agriculture (AG) to Residential Low Density – 6,000 Square Foot Minimum Lot Size (RL-6);
- Ordinance No. 1864 – Ordinance of the City Council of the City of Vacaville Adopting the Development Agreement Between the City of Vacaville and the Vacaville Land Investors, LLC regarding Development of Real Property Commonly Referred to as Parkside (Papin) at Vanden Meadows (APN: 137-050-140);
- Ordinance No. 1865 – Ordinance of the City Council of the City of Vacaville Amending the Zoning Designation for Area E, a 7.9 Acre Area of a Larger 75.11 Acre Parcel (APN: 137-050-090), from Residential High Density (RH) to Residential Low Density 6,000 Square Foot Lot Size (RL-6) of the Vanden Meadows Specific Plan;
- Ordinance No. 1866 – Ordinance of the City Council of the City of Vacaville Amending the Development Agreement Between the City of Vacaville and the Vanden Properties Joint Ventures Regarding the Estates at Vanden to Reflect the Change to the Property Description from High Density Residential to Single Family Residential for Parcel E, a 7.9 Acre Area of a Larger 75.11 Acre Parcel (APN: 137-050-090).

STANDARD NO. 6:

EFFECT ON NATURAL RESOURCES

Explanation: An application for annexation shall describe the amount of land involved, and the

land, water, air, and biological resources affected, including topography, slope, geology, soils, natural drainage, vegetative cover, and plant and animal populations. Effects to be covered include those which will be both positive and negative and the means proposed to offset potential negative impact. LAFCo shall certify that provisions of the Solano LAFCo Environmental Guidelines for the implementation of the California Environmental Quality Act have been complied with.

Analysis: As the “lead agency”, as defined by the California Environmental Quality Act (CEQA), the City of Vacaville prepared a Final Environmental Impact Report (“EIR”), to address the environmental impacts of the Vanden Meadows Specific Plan and Development Project and related actions such as the proposed reorganization. Through adoption of City Council Resolution 2013-073 the City certified the Final EIR, adopted a Statement of Overriding Considerations, and approved a Mitigation Monitoring and Reporting Program. As required by CEQA, the City filed a Notice of Determination following approval of the Specific Plan. As a “responsible agency”, as defined by CEQA, LAFCO will rely on the environmental document prepared by the City in its consideration of the reorganization application and will adopt the Statement of Overriding Considerations and Mitigation Monitoring Program (attached).

There is sufficient evidence the proposal meets Standard 6 for the following reasons:

1. The City has certified an Environmental Impact Report for the Vanden Meadows Specific Plan and related actions, including the proposed reorganization.
2. The City has determined the environmental impacts of the project through the EIR and a Statement of Overriding Consideration.
3. The City will mitigate environmental effects, to the extent feasible through approval of a Mitigation Monitoring and Reporting Program.

DISCRETIONARY STANDARDS

As previously noted LAFCO may make determinations of less than full compliance with one or more

of the discretionary Standards and still have the discretion to approve or deny a proposal. The determinations under each discretionary Standard must be weighed against each other and that when taken as a whole; the proposal must meet the purpose and intent of LAFCO in providing for planned, orderly, and efficient patterns of urban development. Therefore, in the event that determinations of less than full compliance have been made on one or more of the discretionary Standards, LAFCO must make specific findings of fact identifying overriding considerations that justify the decision to approve the proposal.

**STANDARD NO. 7: RELATIONSHIP TO ESTABLISHED BOUNDARIES
STREETS AND ROADS, LINES OF ASSESSMENT, REMAINING
UNINCORPORATED TERRITORY; PROXIMITY TO OTHER POPULATED
AREAS, ASSESSED VALUATION**

Explanation: LAFCo shall, where possible, avoid irregularities and overlapping of established boundaries in the annexation process which would otherwise create problems for taxing districts, including the loss of tax revenues required for district operation. City boundaries at County roads and city streets shall be delineated to provide an orderly division of road maintenance, and law enforcement responsibilities between cities and counties.

Analysis: This standard is duplicative of other factors found earlier in the report. As previously noted Maps and legal boundary descriptions were prepared identifying the boundaries of the affected territory in accordance with the requirements of the State Board of Equalization, Solano County Assessor's Office, and LAFCO.

Staff recommends if approved, the Commission condition the reorganization approval to include APN 0136-040-010, a .89 acre triangle located northeast of the proposal area. Not including the small triangular shaped parcel in the proposal would create an island that is surrounded on two sides of the City and one side by the railroad tracts. Solano LAFCO's Standard Number 7(a) states that the Commission will consider those annexations that do not create islands as "favorable."

The subject parcel is owned by the Pacific Railroad Company and is used as a parking site for their equipment; no further development is planned for this parcel. As previously noted the parcel has zero value and therefore including it in the proposal area does not affect the tax exchange amongst the affected agencies. Additionally, the railroad company was noticed in accordance with the CKH Act and staff has not received a response. At the request of LAFCO staff, the proponent has provided an amended map and legal description which includes the parcel.

**STANDARD NO. 8: LIKELIHOOD OF SIGNIFICANT GROWTH AND EFFECT ON OTHER
INCORPORATED OR UNINCORPORATED TERRITORY**

Explanation: Prior to approving an annexation, LAFCO shall make a determination that the proposed conversion of open space lands to urban use is justified by probable urban growth within a 10-year period of time. A determination on the likelihood of significant growth justifying the conversion shall be based on an analysis of local and regional demand for the proposed use.

Analysis: As required by the Commission's policy, the City of Vacaville retained the services of Bay Area Economics to prepare a Market Study for the Vanden Meadows development. (Attached as part of the Commission's packet)

The following is copied from the conclusion section of the report:

"It is appropriate for the City of Vacaville to move forward with the annexation of the Vanden Meadows area at this time, based on the consistency of the annexation with the requirements of LAFCo Standard No. 8 as follows:

- a) Provide data supporting the proposed conversion of open space to urban use by analyzing the appropriate factors of supply and demand, and the Municipal Service Review where applicable.

This report has evaluated short-to medium-term and long-term residential development trends in Vacaville, residential growth projections, and the City's supply of land for residential development. All of the data point to the potential for substantial continuing residential growth in the next 10 years.

- b) Discuss all lands currently within the City's jurisdiction which are intended for, of committed to similar land uses and how the proposal relates to them.

This report has identified the lands within the City's jurisdiction which are available to accommodate residential development and evaluated how the proposed annexation would affect the supply of land available for residential development as ongoing housing construction reduces the supply.

- c) Submit data to explain how the annexation will not significantly inhibit the timely development of existing vacant land currently within the City limits of inhibit the City's ability to meet its infill goals.

This report has analyzed the projected supply/demand balance for the City's residential land, assuming the annexation of the proposed project, and found that the annexation would result in only a slight increase in the City's supply/demand ratio in the year it is annexed and then each year thereafter, the supply/demand ratio would decrease, unless additional annexations of residential land are completed.

Additionally, this report has provided discussion of how the Vanden Meadows area has been identified as a near-term annexation area since 2004, and the other near-term annexation area that was identified as a precedent to annexation of Vanden Meadows has been completed and is progressing towards buildout within two to three years, including over-sized infrastructure that has been designed to serve Vanden Meadows.

- d) Submit data that supports a determination that the conversion of the land to urban use within the 10-year period of time is justified.”

There appears to be sufficient data and analysis presented in the market study to justify the conversion of the Vanden Meadows area to urban use, consistent with anticipated market demand, and the annexation and growth strategy detailed in the City’s 2004 MSR/Comprehensive Annexation Plan (CAP) and 2014 MSR/SOI Update.

On September 24, 2013, the City Council Approved Ordinance No. 1856 Ordinance Adopting the Development Agreement Between the City of Vacaville and the Vanden Properties Joint Ventures for the Estates at Vanden Development Project. A copy of the Development Agreement is included in the Commission’s agenda packet.

On September 24, 2013, the City Council Approved Ordinance No. 1857 Ordinance Adopting the Development Agreement Between the City of Vacaville and Nor Cal Co. for the Villages at Vanden Development Project. A copy of the Development Agreement is included in the Commission’s packet as required.

STANDARD NO. 9: PROTECTION OF PRIME AGRICULTURAL LAND

Explanation: Urban growth shall be guided away from prime agricultural land unless such action would not promote planned, orderly, and efficient development for the agency. Development of existing vacant or non-prime agricultural lands within the agency limits should be encouraged before any proposal is approved for urbanization outside of the agency limits.

Analysis: This Standard is duplicative of other factors found earlier in the report.

Pursuant to GC Section 56016 "Agricultural lands" is defined as land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.

Within the proposal area, there are approximately 28 acres subject to an agricultural preserve contract (Williamson Act Contract #573). The property owners filed a notice of non-renewal with Solano County on September 5, 2012. LAFCO’s Standard Number 9 Evaluation Criteria #5 states the Commission may approve an annexation if a notice of non-renewal of lands subject to a Williamson

Act contract has been filed. (As required by Commission policy, staff has received proof of the filed/recorded notice).

In accordance with Government Code Section 56856.5 (c), LAFCO finds that the annexation of land subject to the Williamson Act (Solano County Contract #573), to the City of Vacaville is appropriate for the reasons below. (A more complete analysis can be found in other factors, below is a list of conclusions which will be incorporated in the proposed attached Resolution)

1. A notice of non-renewal of the contract has been filed by the landowners with Solano County;
2. The Vanden Meadows Specific Plan encourages and provides planned, well-ordered efficient urban development patterns for the following reasons:
 - a. The City of Vacaville's municipal service review found the City can provide water, sewer, emergency services, and other municipal services to the Vanden Meadows specific area.
 - b. The reorganization will allow for transportation improvements amongst the residents in the Southtown Development area through construction of Foxboro Parkway.
 - c. The reorganization will allow for transportation improvements among those residents in the surrounding areas as the annexation will facilitate the construction of Jepson Parkway.
 - d. The Vanden Meadows Specific Plan is necessary to provide additional financing for the Southeast Vanden Improvement District. Nineteen different infrastructure components are identified in the District including: Sanitary Sewer Improvements; Detention Basin; Conveyance of City Drainage; Undergrounding of the SID Canal; Infrastructure Studies; Well Site; Park Land Dedication; Oversizing of Arterial Water Mains; Pedestrian Facilities at Vanden Bridge; School District's Share of Costs; Northeast Sector Drainage; Vanden Road Drainage; A Permanent SID Pump Station; Downstream Drainage Mitigations; Off-site Traffic Mitigations; Drainage Diversion Wall; Nut Tree Widening Done by the TUSD; and School Street within Vanden Meadows.
 - e. The reorganization will allow for an additional 28 acre school site and a 7.5 acre park for the City of Vacaville.

STANDARD NO. 10. PROVISION AND COST OF COMMUNITY SERVICES

Explanation: Adequate urban services shall be available to areas proposed for a change of organization or reorganization.

Analysis: There appears to be sufficient evidence the City of Vacaville can provide urban services to the proposal area. Below are details of some of the service the City will provide:

Water distribution system

Development of the Vanden Meadows area will complete water distribution lines that will enhance water quality and circulation throughout the Southeast Vanden area. An 18" City of Vacaville Transmission main will be extended south within Leisure Town Road by the City of Vacaville (paid for by City funds and partially reimbursed by developers) to the intersection of Leisure Town Road and Foxboro Parkway. The 18" line will connect to the new 12" water line that will be installed in Foxboro Parkway and tie into the existing system at the corner of Foxboro at Nut Tree Road. This new connection along with the other water lines installed in all streets by developers in the area will significantly improve reliability (by having water available from different directions) and water quality (the enhanced connections avoid dead-end lines which improves the chlorination of the water).

Non potable water distribution system

The developers of the Southtown Project are currently constructing a non-potable water pumping station which will be dedicated to and operated by the Solano Irrigation District (SID). The pumping station will be paid for by all developers in the Southeast Vanden area through the Southeast Vanden Benefit District which was established by the City of Vacaville to fairly assess costs for major infrastructure components to the developers within the area.

The distribution lines will be installed by the developers as they construct their projects and will allow for the use of non-potable water for irrigating roadway backup landscaping.

(As previously noted a proposal for detachment of those areas that will no longer receive non-potable water from the SID will be submitted to the Commission in the near future.)

Sewer collection system

Within the northwest portion of the Vanden Meadows area there exists a 24" sewer main. The developers of the Vanden Meadows area will be responsible for installing sewer lines within their developments to eventually tie into this 24" main. In addition, the developers of the northeastern portion of the Vanden Meadows area will connect to a new sewer system installed by the developers of the Southtown project. Other sewer main improvements required to serve the area are part of the City of Vacaville Developer Impact Fee (DIF) program and as building permits are pulled and paid for a portion of the fees goes to construct those funds. In addition, the SE Vanden Benefit District will be continuing to collect fees necessary for the eventual construction of off-site sewer components.

Storm drainage

With development of Southtown a Detention Basin was constructed to mitigate for the increased

runoff from the developed areas. The Basin was sized to mitigate for runoff not just from Southtown but for the Vanden Meadows area as well. In addition to the Basin twin 60" pipes and twin 72" pipes were constructed in the area to serve both Southtown and Vanden Meadows. Distribution of costs for these improvements was included in the SE Vanden Benefit District mentioned previously.

Parks and Recreation

As previously noted, a 7 acre park is planned as part of the Vanden Meadows Specific Area. Vacaville does not currently have a Quimby Ordinance; therefore new residential developments are required to include acreage for new parks through Development Agreements. Development of parks may be done by the developer or through the CIP Program funded by Development Impact Fees and maintained with Landscape and Lighting Districts. The Southeast Vanden Benefit District includes park and recreation infrastructure components. More details of the improvement districts follows in the report.

Public Works

The proposed development will require roadway improvements most notably to Foxboro Parkway, Vanden Road, and Leisure Town Road as previously discussed in this report.

STANDARD NO. 11: THE EFFECT OF THE PROPOSED ACTION ON ADJACENT AREAS, MUTUAL SOCIAL AND ECONOMIC INTERESTS, AND ON LOCAL GOVERNMENT STRUCTURE

Explanation: The application shall describe the effect which the annexation could have on adjacent areas and outside the agency. It shall also describe any social and economic benefits, or detriments, which will accrue to the agency and other affected agencies. The proposal should not be motivated by inter city rivalry, land speculation, or other motivates not in the public interest, and should create no significant negative social or economic effects on the County or Neighboring agencies.

Analysis:

Base Tax Exchange:

<u>Fund No.</u>	<u>Fund Name</u>	<u>Add to Base</u>	<u>Deduct from Base</u>
080	City of Vacaville	\$3,526.57	
001	Gen. Fund	\$1,336.82	
131	Vacaville-Elmira Cemetery District	0	
108	Special Road		\$1,135.39
133	Vacaville Fire District		\$3,728.00
046	County Service Area		0

(Please note the tax exchange will be made in accordance with the Solano County Master Tax Sharing Agreement. Current and future annual tax increments will be distributed according to the ration of equivalent tax rates for all jurisdictions serving the new tax rate area.)

As noted in the above table, the Vacaville Cemetery District will not receive a portion of the 1% property tax base. As a result, the City and District have agreed to form a Communities Facilities District to offset the costs associated with providing cemetery services to the proposal area.

If approved, the Vacaville Fire Protection District will lose their share of property tax revenue from the proposal area of approximately \$3,728 annually. In order to comply with the Commission’s policy, initially the developer of the project offered a one-time lump sum payment of \$73,143.67 which represented 25 years of tax revenue that would have been collected by the Fire District converted to a net present value. The District turned down the offer and responded that the District would accept a one-time lump sum equal to 25 years of the current tax revenue stream earning a 2% increase per year (consistent with the maximum potential increase under Proposition 13). The developers subsequently offered a one-time lump sum payment of \$93,000 which equates to 25 years of current tax revenue without any consideration of present value. Staff has been informed that at the time of the writing of this report, no agreement has been reached. The Commission’s policy specifically states if no agreement is reached, the Commission may impose mitigation.

GC §56662 Protest Hearing Proceeding:

The subject property is considered uninhabited (there are less than 12 registered voters), the affected landowners have submitted a letter to LAFCO in support of the change of organization, and the Southern

Pacific Railroad Company has been notified pursuant to the CKH Act. Staff recommends the Commission waive protest proceedings pursuant to GC §56662.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends the Commission approve the reorganization with the following conditions of approval:

1. That the proposed reorganization is assigned the following short term designation “2014-03 Vanden Meadows Reorganization”
2. That upon the effective date of the reorganization, the subject territories will be annexed to the City of Vacaville.
3. That upon the effective date of the reorganization, the subject territories will be annexed to the Vacaville-Elmira Cemetery District.
4. That the City of Vacaville will form a Community Facilities District to help fund cemetery services for the subject proposal as agreed upon by the City, Project Developer, and the Vacaville-Elmira Cemetery District.
5. That upon the effective date of the reorganization, the subject territories be detached from the Vacaville Fire Protection District.
6. That the City of Vacaville, Project Developer, and the Vacaville Fire Protection District is subject to any mitigation imposed by the Solano LAFCO to satisfy Standard 11.
7. That upon the effective date of the reorganization, the subject territories be detached from the County Service Area.
8. That Assessor Parcel Number 0136-040-010, a 0.89 acre triangle located northeast of the proposal area, is included in the reorganization proposal to avoid the creation of an island that is surrounded on two sides by the City of Vacaville and on the third side by railroad tracks.
9. That prior to the Executive Officer issuing the Certificate of Completion, the project Developers mitigate for 98.62 acres of prime agricultural lands as defined in the Cortese-Knox-Hertzberg Act of 2000 Government Code Section 56064.
10. That the Commission adopts the following findings with regard to those lands under Williamson Act Contract:
In accordance with GC§56856.5(c), LAFCO finds that the annexation of land subject to the Williamson Act (Solano County Contract #573), to the City of Vacaville is appropriate for the reasons below.
 - a. A notice of non-renewal of the contract has been filed by the landowners with Solano County;
 - b. The Vanden Meadows Specific Plan encourages and provides planned, well-ordered efficient urban development patterns for the following reasons:
 - i. The City of Vacaville’s municipal service review found the City can provide water, sewer, emergency services, and other municipal services to the Vanden Meadows specific area.

- ii. The reorganization will allow for transportation improvements amongst the residents in the Southtown Development area through construction of Foxboro Parkway.
 - iii. The reorganization will allow for transportation improvements among those residents in the surrounding areas as the annexation will facilitate the construction of Jepson Parkway.
 - iv. The Vanden Meadows Specific Plan is necessary to provide additional financing for the Southeast Vanden Improvement District. Nineteen different infrastructure components are identified in the District including: Sanitary Sewer Improvements; Detention Basin; Conveyance of City Drainage; Undergrounding of the SID Canal; Infrastructure Studies; Well Site; Park Land Dedication; Oversizing of Arterial Water Mains; Pedestrian Facilities at Vanden Bridge; School District's Share of Costs; Northeast Sector Drainage; Vanden Road Drainage; A Permanent SID Pump Station; Downstream Drainage Mitigations; Off-site Traffic Mitigations; Drainage Diversion Wall; Nut Tree Widening Done by the TUSD; and School Street within Vanden Meadows.
 - v. The reorganization will allow for an additional 28 acre school site and a 7.5 acre park for the City of Vacaville.
11. That Pursuant to Section 21081 of the California Public Resources Code and Section 15093 of the State CEQA Guidelines, the Solano LAFCO adopts the attached Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the project.
12. That Pursuant to Section 21081.6 of the California Public Resources Code and Section 15097 of the State CEQA Guidelines, the Solano LAFCO adopts the attached Mitigation and Monitoring Program