

APPENDIX “A”

GLOSSARY OF TERMS

This glossary presents a listing of key terms that are used in the Solano Local Agency Formation commission’s Standards and Procedures. The definitions are primarily from the Cortese-Knox-Hertzberg Act and the specific section has been cited for reference.

Agricultural Lands: Agricultural lands means land currently used for the purpose of producing an agricultural commodity for commercial purposes, lands left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program. (Section 56016)

Annexation: Annexation means the annexation, inclusion, attachment, or addition of territory to a city or district. (Section 56017)

Application: Application means material submitted to LAFCO that initiates LAFCO review process.

CEQA: The California Environmental Quality Act (CEQA) contained in the Public Resources Code, Section 2100 et seq.

Certificate of Completion: Certificate of Completion means a legal document confirming compliance with LAFCO conditions and certifying final completion of changes of local government organization. (Section 56020.5)

Certificate of Filing: Certificate of Filing means a legal document confirming application material is complete allowing LAFCO review process to begin upon issuance. (Section 56658(g))

Certificate of Termination of Proceedings: The document prepared by the executive officer and retained by the commission that indicates that the proposal for a change of organization or reorganization was terminated because of a majority written protest or rejection by voters in an election. (Section 56020.7)

Change of organization: Change of organization means any of the following: (a) A city incorporation. (b) A district formation. (c) An annexation to, or detachment from, a city or district. (f) A disincorporation of a city. (g) A merger or establishment of a subsidiary district. (Section 56021)

City: City means any chartered or general law city (Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville and Vallejo). (Section 56023)

Commission: Commission means Solano Local Agency Formation Commission. (Section 56027)

Conditional approval: Conditional approval means approval given by LAFCO which is subject to the completion of certain actions prior or subsequent to recordation of Certificate of Completion.

Conducting Authority: Conducting Authority means the Solano Local Agency Formation Commission, unless another conducting authority is specified by law. (Section 56029)

Consolidation: Consolidation means the uniting or joining of two or more cities located in the same county into a single new successor city or two or more districts into a single new successor district. In the case of consolidation of special districts, all of those districts shall have been formed pursuant to the same principal act. (Section 56030)

Detachment: Detachment means the detachment, deannexation, exclusion, deletion, or removal from a city or district of any portion of the territory of that city or district. (Section 56033)

Disincorporation: Disincorporation means the disincorporation, dissolution, extinguishment, and termination of the existence of a city and the cessation of its corporate powers, except for the purpose of winding up the affairs of the city. (Section 56034)

District or special district:

(a) District or special district means an agency of the state, formed pursuant to general law or special act, for the local performance of government or proprietary functions within limited boundaries. District or special district includes a county service area, but excludes all of the following:

- (1) The state.
- (2) A country.
- (3) A city.
- (4) A school district or a community college district.
- (5) A special assessment district.
- (6) An improvement district.
- (7) A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5.
- (8) A permanent road division formed pursuant to Article 3 (commencing with Section 1160) of Chapter 4 of Division 2 of the Streets and Highways Code.
- (9) An air pollution control district or an air quality maintenance district.
- (10) A service zone of a fire protection district. (Section 56036)

- (b) For special instances where a district may be covered by LAFCo action, see Section 56036.

Environmental Impact Report: Environmental Impact Report means a legal document produced to identify adverse environmental impacts and propose mitigation and project alternatives as feasible.

Environmental review: Environmental review means the process set forth in CEQA which involves an assessment of potential significant adverse impacts of an action.

Executive Officer: Executive Officer means the Executive Officer appointed by a commission. (Section 56038)

Formation: Formation means the formation, incorporation, organization, or creation of a district. (Section 56039)

Incorporation: Incorporation means the incorporation, formation, creation, and establishment of a city with corporate powers. Any area proposed for incorporation as a new city shall have at least 500 registered voters residing within the affected area at the time commission proceedings are initiated. (Section 56043)

Landowner or owner of Land:

- (a) Except as otherwise provided in subdivision (b) or (c), landowner or owner of land means all of the following.
- (1) Any person shown as the owner of land on the most recent assessment roll being prepared by the county at the time the commission adopts a resolution of application. Where that person is no longer the owner, the landowner or owner of land is any person entitled to be shown as owner of land on the next assessment roll.
 - (2) Where land is subject to a recorded written agreement of sale, any person shown in the agreement as purchaser.
 - (3) Any public agency owning land.
- (b) Landowner or owner of land does not include a public agency which owns highways, right-of-way, easements, waterways, or canals.
- (c) For the purpose of mailed notice provided pursuant to Section 56157, landowner or owner of land means each person to whom land is assessed, as shown upon the most recent assessment roll being prepared by the county, at the time the commission adopts a resolution of application, at the address shown upon that assessment roll. (Section 56048)

Lead Agency: Lead Agency means the principal governmental body reviewing a project under CEQA.

Legal representative: Legal representative means an officer of a corporation duly authorized by the bylaws or a resolution of the board of directors of the corporation, to sign for, and on behalf of, the corporation. Legal representative also includes a guardian, conservator, executor, administrator, or other person holding property in a trust capacity under appointment of a court, when authorized by an order of the court. The order of the court may be made without notice. (Section 56052)

Local agency: Local agency means a city, county or district. (Section 56054)

Merger: Merger means the extinguishment, termination and cessation of the existence of a district of limited powers by the merger of that district with a city as a result of proceedings taken pursuant to the Cortese-Knox Act. (Section 56056)

Negative Declaration: Negative Declaration means a determination under CEQA that a project will not adversely affect the environment.

Notice: Notice means any matter authorized or required by the Cortese-Knox Hertzberg Act to be published, posted, or mailed. (Section 56058)

Open Space: Open space means any parcel or area of land or water which is substantially unimproved and devoted to an open space use, as defined in Section 65560 of the Government Code as follows: (Section 56059)

- (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.
- (b) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:
 - (1) Open space for the preservation of natural resources including but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches; lakeshores, banks of rivers and streams, and watershed lands.
 - (2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and

streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

- (3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- (4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

Prezoning: Prezoning means adoption of an anticipated zoning category prior to annexation to be effective subsequent to annexation.

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 (Section 56064):

- (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 Handbook on Range and Related Grazing Lands, July 1967, developed pursuant to Public Law 46, December 1935.
- (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.

Proceeding: Proceeding for a change of organization, or proceeding for a reorganization means proceedings taken by the commission for a proposed change of organization pursuant to Part 4, commencing with Section 57000. (Section 56067)

Proponent: Proponent means the person or persons who file a notice of intention to circulate a petition with the executive officer. (Section 56068)

Proposal: Proposal means a request or statement of intention made by petition or by resolution of application of a legislative body or of a school district proposing proceedings for the change of organization described in the request or statement of intention. (Section 56069)

Protest: Protest means written opposition of affected landowners and/or voters regarding a proposal which includes their properties.

Registered voter: Registered voter means any elector registered under, and pursuant to the Elections Code. (Section 56071)

Registered voter district: Registered voter district means a district whose principal act provides that registered voters residing within the district are entitled to vote for the election of district officers, incurring bonded indebtedness, or any other district matter. (Section 56072)

Reorganization: Reorganization means two or more changes of organization initiated in a single proposal. (Section 56073)

Significant Growth: The likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years (Section 56841) or as determined by the Commission case by case based on the data prepared and presented to the Commission

Sphere of Influence: Sphere of Influence means a plan for the probable ultimate physical boundaries and service area of a local agency, as determined by the commission. (Section 56076)