

RESOLUTION NO. 2018-138

RESOLUTION OF APPLICATION BY THE CITY OF VACAVILLE REQUESTING THE SOLANO LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR THE REORGANIZATION OF TERRITORY – ANNEXATION OF THE FARMSTEAD AT NORTH ORCHARD SUBDIVISION PROPERTY (APN 0125-040-110)

WHEREAS, the City Council of the City of Vacaville desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Act of 2000, commencing with the section 56000 of the California Government Code, for a reorganization which would concurrently annex territory to the City of Vacaville and detach territory from the Solano Irrigation District (SID) and the Vacaville Rural Fire Protection District located:

South of Fruitvale Road and East of North Orchard Avenue
(APN's: 0125-040-110); and

WHEREAS, the City Council desires to process an application to process an early cancellation of Williamson Act Contract No. 695, within Agricultural Preserve Number 614 with the Department of Conservation upon completion of the Annexation; and

WHEREAS, the City Council of the City of Vacaville desires to tentatively prezone the Farmstead at North Orchard Subdivision to be consistent with the City of Vacaville General Plan land use diagram land use designations of Residential Medium Density and Public Park; and

WHEREAS, a public hearing notice for the City Council public hearing was published in *The Reporter*, a newspaper of general circulation, and notices were mailed to property owners within 600-feet of the Project site and notices were placed on the site; and

WHEREAS, the Planning Commission of the City of Vacaville conducted a public hearing on October 16, 2018 to make a recommendation to the City Council of the City of Vacaville and voted 4-2-1 to recommend denial the Farmstead at North Orchard Subdivision project; and

WHEREAS, the City Council of the City of Vacaville conducted a public hearing on November 13, 2018 to consider the initiation of annexation, tentative cancellation of Williamson Act Contract, tentative rezoning, and approval of vesting tentative map and planned development for the Farmstead at North Orchard Subdivision; and

WHEREAS, the Farmstead at North Orchard Subdivision area is located within the City of Vacaville adopted Sphere of Influence (SOI) and within the City's adopted Urban Growth Boundary, and

WHEREAS, the proposed Farmstead at North Orchard annexation is located within the City's adopted Sphere of Influence as identified on the City of Vacaville General Plan land use diagram and is identified as a near term annexation area in the *City of Vacaville Municipal Service Review for the Comprehensive Sphere of Influence Update* received by the Vacaville City Council on March 14, 2017, and which was reviewed by the Solano Local Agency Formation Commission on May 8, 2017; and

WHEREAS, the Farmstead at North Orchard Subdivision is an infill development and a “jurisdictional island” as identified by Solano Local Agency Formation Commission because the site is wholly surrounded by existing development and is a site within Solano County jurisdiction surrounded by City of Vacaville City Limits; and

WHEREAS, Farmstead at North Orchard Subdivision area will use existing City-owned utilities and services; and

WHEREAS, notice of intent to adopt this resolution of application has been given, and the City Council of the City of Vacaville has conducted a public hearing based upon this notification; and

WHEREAS, the principal reasons for the proposed reorganizations are as follows: the City of Vacaville has adopted its General Plan update in August 2015, including property known as Farmstead at North Orchard Subdivision designated for residential and park development within the City’s Urban Growth Boundary and the City anticipates annexation of these properties into the Vacaville City limits as part of the development of these properties; and,

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
City of Vacaville	Annexation,
Solano Irrigation District	Detachment,
Vacaville Rural Fire District	Detachment.

and,

WHEREAS, the territory proposed to be reorganized is inhabited and the property owner is part of the annexation application, and a map and description of the boundaries of the territory are attached hereto as Exhibits A & B and by this reference incorporated herein; and,

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

1. Residential zoning shall not be effective until after the completion of the cancellation of the Williamson Act Contract.
2. Infill Community Facilities District (CFD 12) – Prior to recordation of the Farmstead at North Orchard Subdivision Final Map, the project site shall annex into the Infill Community Facilities District (CFD 12).

and,

WHEREAS, this proposal is consistent with the adopted spheres of influence for the agencies subject to this reorganization; and,

WHEREAS, this City Council reaffirms General Plan Environmental Impact Report (EIR) through the attached Initial Study completed in compliance with CEQA, including

reaffirming the Findings of Fact, and reaffirming the Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Plan; and,

WHEREAS, the current site is identified for a neighborhood park in the General Plan. For reasons specified in the City's General Plan, the project is being allowed to provide a park of approximately three acres in size and associated open space and trail corridors of approximately two acres to implement the goals and policies of the General Plan. Additionally, the park is to be left in a natural, passive use state. The proposed park size allows for single-family detached houses to be constructed and to be consistent with the minimum density requirements of the General Plan. This type of use, combined with the natural, passive-use park and trail system, results in a public benefit to the community by making efficient use of City services and providing for a neighborhood that is underserved by parks as noted in the General Plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vacaville as follows:

Section 1. The City Council hereby finds and declares that the foregoing recitals are true and correct.

Section 2. The City Council initiates the annexation of the Farmstead at North Orchard area, as described and shown in Exhibits A and B incorporated herein, and authorizes and directs the Community Development Director or his designee to submit an annexation application to the Solano Local Agency Formation Commission.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 13th day of November, 2018 by the following vote:

AYES: Council Members Hunt, Rowlett, Vice Mayor Mashburn and Mayor Augustine

NOES: Council Member Harris

ABSENT: None

ATTEST:


Michelle A. Thornbrugh, City Clerk

List of Exhibits:

Exhibit A – Description of Boundaries

Exhibit B – Map of Territory to be Reorganized

Exhibit C – Draft Solano Local Agency Formation Commission Findings for Annexation