

RESOLUTION NO. 6465

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL THAT THE CITY MANAGER OR DESIGNEE FILE AN APPLICATION TO INITIATE REORGANIZATION (ANNEXATION) PROCEEDINGS FOR REAL PROPERTY LOCATED WITHIN THE EAST AREA 1 EXPANSION AREA.

(PROJECT NO. 2006-CDP-02)

The City Council of the City of Santa Paula does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

- A. On May 16, 2006, Limoneira Company ("Applicant") filed an application with the City for a General Plan Amendment, zone change, prezone/specific plan, and reorganization (annexation) for the East Area 1 ("EA1") Expansion Area. The Project consists of the following: 1,500 dwelling units, 150,000 square feet of light industrial, 285,000 square feet of commercial, 375,800 square feet of civic, 66.8 acres of parkland & greenways, 55 acres of Agricultural Preserve (proposed to be actively farmed) and 80 acres of natural open space (collectively, the "Plan").
- B. The City of Santa Paula seeks to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §§ 56000, *et seq.*) for a reorganization (annexation) that would concurrently annex territory to the City and detach territory from the County of Ventura.
- C. The territory proposed to be reorganized (annexed) is primarily uninhabited. A map and description of the boundaries of the territory are attached as Exhibit "A-1," and incorporated by reference (the "Property").
- D. The Planning Department scheduled joint public hearings regarding the applications before the Planning Commission and City Council for February 25 and 26, 2008.
- E. On February 25, 2008 and February ____, 2008, the Planning Commission held joint public hearings with the City Council regarding the Project.
- F. The Planning Commission considered the information provided by City staff, public testimony, and the Applicant. This Resolution, and its findings are made based upon the evidence presented at the Planning Commission public hearings on February 25, 2008 and February ____, 2008. Such evidence includes, without limitation, the staff report submitted by the Planning Department.
- G. This Resolution, and its findings, is adopted based upon the evidence set forth in the entire record including, without limitation, documentary and testimonial

evidence; the staff report; and such additional information set forth in the administrative record that is too voluminous to reference.

SECTION 2: *Factual Findings and Conclusions.* The City Council finds that the following facts exist and makes the following conclusions:

- A. Real property located at the Ventura County Assessor Parcel numbers (APNs) 040-0-180-565, 040-0-180-435, 107-0-200-115, and 107-0-045-015. The property can be described as shown on Exhibit "A-1," Boundary Location of the East Area 1 Specific Plan.
- B. Reorganization (annexation) of the Property is desirable for the following reasons:
 - 1. To efficiently provide municipal services that can be more economically provided to persons living on the Property by the City of Santa Paula rather than the County of Ventura; and
 - 2. To recoup costs associated with providing public services to the Property. The County currently receives all revenues from the Property.
- C. The following agencies would be affected by the proposed jurisdictional changes:
 - 1. County of Ventura – The Property would be detached from the County of Ventura, Ventura County Fire Protection District and Ventura County Resource Conservation District.
 - 2. City of Santa Paula – The Property would be reorganized (annexed) to the City of Santa Paula.

SECTION 3: *General Plan Consistency.* The proposed project would conform to the Santa Paula General Plan as follows:

- A. Ventura Local Agency Formation Commission ("LAFCO") requires as a condition of reorganization (annexation) that the City of Santa Paula pre-zone the territory to be reorganized (annexed). Ordinance No. ____, designates zoning classifications consistent with the General Plan designations, and will be adopted by the City Council if it approves the overall project. Pre-zoning designations become effective with the reorganization (annexation).
- B. The reorganization (annexation) will include the approximately 501 acres comprising the East Area 1 Specific Plan Project Site and will be pre-zoned "East Area 1 Specific Plan (SP-3)." The East Area 1 Specific Plan proposes a mix of uses comprised of residential, commercial, light industrial, agricultural/open space, recreational and institutional uses.

- C. LAFCO is responsible for establishing jurisdictional boundaries of public agencies in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §§ 56000, *et seq.*). One of LAFCO's duties is to encourage the orderly formation and expansion of local government agencies.
- D. The reorganization (annexation) area is comprised of property that would be governed by the East Area 1 Specific Plan. The reorganization (annexation) area is outside of the City's Sphere of Influence, but contiguous with the City's existing boundary. In addition to reorganization (annexation), the City will also request LAFCO to approve a Sphere of Influence amendment to include the East Area 1 Specific Plan Project Site.

SECTION 4: Annexation Findings. The Planning Commission makes the following findings in accordance with SPMC § 16.236.120:

- A. The proposed reorganization (annexation) is consistent with the goals, policies and objectives of the General Plan:
 - 1. The proposed reorganization includes existing developments contiguous with the City's boundary and growth consistent with General Plan Policy 4.d.d.
 - 2. East Area 1 is identified in the General Plan as an expansion area for future urban development.
 - 3. The General Plan Land Use Element requires Specific Plans for all expansion areas before development can occur and requires fiscal impact analysis for those Projects. The proposed Project implements these requirements.
 - 4. The SPMC allows for the establishment and administration of Specific Plan Zones in Chapter 16.25 and 16.216 and establishes a designation for East Area 1 Specific Plan of SP-3.
 - 5. The Project provides for school sites and infrastructure; parks; and other public infrastructure required by the relevant policies and implementation measures in the General Plan and provides or exceeds the specifically required trail, park and open space requirements in the General Plan. The East Area 1 Specific Plan includes protections for wildlife as required by the General Plan in Expansion Areas.
 - 6. The General Plan amendment incorporates references to the East Area 1 Specific Plan into the General Plan Land Use, Circulation and Conservation & Open Space Elements and adds the "East Area 1 Specific Plan (SP-3)" land use designation to the General Plan and revises East Area 1 Project descriptions

currently present in the General Plan to make them consistent with the Specific Plan.

7. SPMC § 16.25.040 states that the land use designations, standards and other requirements set in an adopted Specific Plan supersede those of the SPMC. Resolution No. 6459 recommending that the City Council adopt a General Plan Amendment for the property establishes consistency between the GP and the East Area 1 Specific Plan.

- B. The proposed reorganization (annexation) will not adversely or significantly impact surrounding properties, as the proposed uses are compatible with neighboring single-family residences (western boundary), light industrial and residential uses (southern boundary), agriculture (eastern boundary) and open space and agriculture (northern boundary). Furthermore, the proposed uses are found to be consistent with the framework of the City's General Plan as previously noted above.
- C. The City of Santa Paula, with the East Area 1 Specific Plan development improvements, will be able to adequately serve the public health, safety and general welfare of residents within the reorganized (annexed) area by providing local fire protection, police protection, and emergency medical services. Implementation of the East Area 1 Specific Plan will result in a direct public benefit through construction and/or funding of the following: one elementary school, one high school and one post-secondary facility/community college; a fire station and police substation; water, sewer and reclaimed water infrastructure that will, in addition to the East Area 1 Specific Plan, serve the greater Santa Paula community; improved traffic level of service for affected City intersections; improved public community and neighborhood parks.
- D. The City has sufficient capacity and ability for providing all city services upon reorganization (annexation), or within a reasonable time of reorganization (annexation). Municipal services (water, sewer, solid waste, schools, parks and recreation, and street maintenance) have been evaluated as part of the environmental analysis for the East Area 1 Specific Plan area, and found to be adequately provided as part of the proposed development improvements.
- E. A Fiscal Impact Analysis was prepared for the Project by Stanley Hoffman Associates (SHA), dated November 12, 2007. P&D Consultants (P&D) peer reviewed the methodology, assumptions, and conclusions for the City. The fiscal analysis was prepared in compliance with General Plan requirements for all expansion area Specific Plans and in support of the proposed annexation of the project area into the City. The analysis compared revenues generated by East Area 1 to city service costs to determine if the project's tax revenues will be sufficient to fund the project's need for city services. Under the baseline scenario used in the study, the report shows that at buildout East Area 1 will annually generate approximately \$2.5 to \$3.0 million in gross revenues with annual

service costs of approximately \$1.8 million. Thus an estimated surplus of \$800,000 to \$1.2 million surplus is anticipated. Based on the assumed phasing and buildout schedule, there are annual shortfalls in years 5, 6 and 7 of the project of approximately \$630,000. The Development Agreement addresses this shortfall and ensures that the City will not be financially burdened by this shortfall.

SECTION 5: Environmental Review. This Resolution incorporates by reference the findings, analysis, and recommendations set forth in City Council Resolution No. 6458 which certifies the FEIR, make findings of fact, and adopt statements of overriding considerations for the for the overall East Area One Project proposed by the Applicant.

SECTION 6: Authorization. The City Council authorizes the City Manager, or designee, to file an application with LAFCO for the purpose of reorganizing (annexing) the Property, including the land shown on Exhibit A-1, within the City's jurisdiction in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §§ 56000, *et seq.*) including, without limitation, a Sphere of Influence amendment.

SECTION 7: Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: Limitations. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the lack of knowledge of future events. In all instances, best efforts were made to form accurate assumptions.

SECTION 9: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10:The City Clerk is directed to mail a copy of this Resolution to the Applicant and to any other person requesting a copy.

SECTION 11: This Resolution is the City Council's final decision and becomes effective immediately upon adoption.

PASSED AND ADOPTED this day of February, 2008.

Robert S. Gonzales,
Mayor

ATTEST:

Josie Guzman Herrera, City Clerk

APPROVED AS TO FORM:

Karl H. Berger,
City Attorney

APPROVED AS TO CONTENT:

Wally Bobkiewicz, City Manager

EXHIBIT A-1
BOUNDARY LOCATION OF THE EAST AREA 1 SPECIFIC PLAN

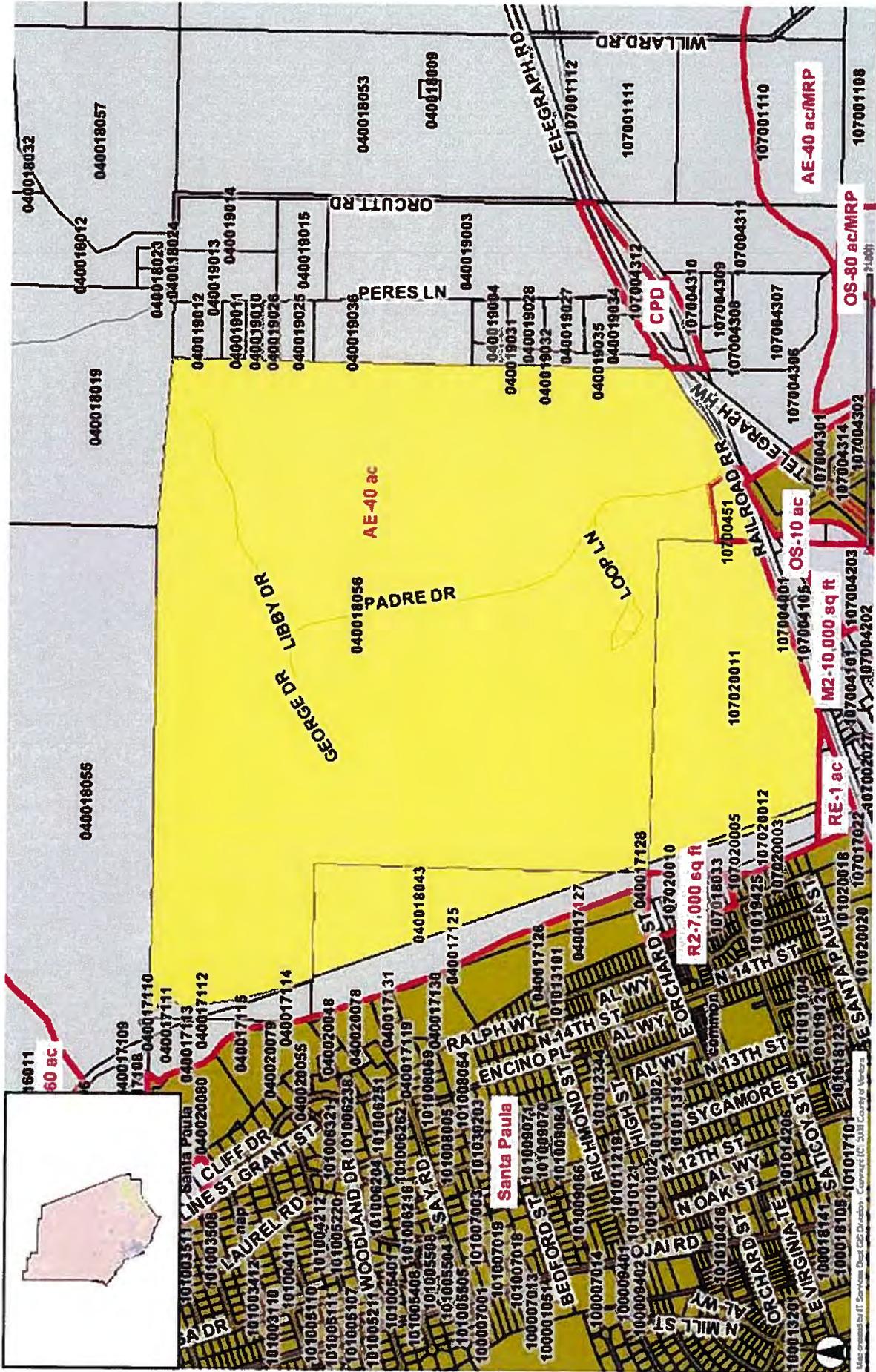


Exhibit A-1
Boundary Location of the East Area 1 Specific Plan

