

RESOLUTION 20-49

RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF COLUSA REQUESTING THE COLUSA COUNTY LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR THE ANNEXATION OF UNINCORPORATED TERRITORY TO THE CITY OF COLUSA INVOLVING APPROXIMATELY 684 ACRES OF PROPERTY, WITH ADJACENT PUBLIC RIGHTS-OF-WAY

WHEREAS, the Council of the City of Colusa desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 *et seq.*, for a reorganization to annex an approximately 684-acre area located in the unincorporated area of Colusa County to the City of Colusa, and to make application concurrently for an amendment to the City of Colusa Sphere of Influence, and

WHEREAS, the 684-acre territory is partially located within the City of Colusa Sphere of Influence, and upon approval of an amendment to the City of Colusa Sphere of Influence, will be entirely within the City of Colusa Sphere of Influence as is necessary to effectuate the reorganization; and

WHEREAS, a map and description of the boundaries of the approximately 684-acre area **proposed to be annexed** into the City of Colusa, (the "Subject Property") is attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, the Colusa County Local Agency Formation Commission ("LAFCO") is the agency with jurisdiction over such reorganizations within Colusa County ("County"); and

WHEREAS, a notice of intent to adopt this Resolution of Application has been given and published pursuant to Government Code Section 56654; and

WHEREAS, a duly noticed public hearing on this resolution was held on February 13, 2019, by the Planning Commission of the City of Colusa, and on March 19, 2019 by the City Council of the City of Colusa; and

WHEREAS, the principal reasons for the proposed reorganization are as follows:

1. The City Council has determined that the proposed reorganization will promote the general health, safety and welfare of the community.
2. The City Council has determined that the reorganization, including the annexations and detachments listed herein, is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the *City of Colusa General Plan*, as amended.
3. The City Council has determined that, with an existing, substantially-developed industrial/office park, vacant residential and open space drainage corridor parcels, annexation of the 684-acre territory will comply with and implement the *City of Colusa General Plan*.

4. The City Council has determined that there is sufficient infrastructure to serve the Subject Property, based upon the *City-CIP Annexation Area Plan for Services (Exhibit B)*.

5. The City has, prior to or concurrent with the approval of this resolution, adopted an ordinance pre-zoning the Subject Property; and

6. The Subject Property is currently only partially within the City’s Sphere of Influence and the City desires to amend the Sphere of Influence to include all of the annexation area and other land which is appropriate to be included in the City’s Sphere of Influence, 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 Colusa	Annexation of various parcels outlined within Exhibit A totaling 684 acres.

WHEREAS, the City Council has complied with the requirements of the California Environmental Quality Act (the “CEQA”), Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, Cal. Code Regs, tit. 14, Section 15000 *et seq.*, and the City Council has, prior to or concurrent with the approval of this proposed resolution, considered the proposed Annexation project, including its related land use entitlements, which was analyzed in three separate Environmental Impact Reports (EIR’s) as required by the California Environmental Quality Act (CEQA) as a part of the *City of Colusa General Plan EIR*, approved and certified by City Council Resolution, the *General Plan Amendment and Zoning Amendment EIR for the Colusa Industrial Park*, certified and approved by the Colusa County Board of Supervisors, and the *County of Colusa 2030 General Plan Update EIR* approved by the Colusa County Board of Supervisors (the “EIR’s”) which are incorporated herein by this reference. Pursuant to CEQA Guidelines Sections 15152, 15162 and 15183, no further environmental review of the Annexation project is required, nor should be conducted, since the Annexation project is within the scope of the *City of Colusa General Plan EIR*, the *General Plan Amendment and Zoning Amendment EIR for the Colusa Industrial Park*, and the *County of Colusa 2030 General Plan Update EIR*, which adequately describe these activities for purposes of CEQA.

WHEREAS, the City and the County have previously entered into, or will enter into, a tax-sharing agreement pursuant to Revenue and Taxation Code Section 99.

WHEREAS, on February 13, 2019, the Planning Commission held a duly noticed public hearing – at which time a Planning Department staff report, the *City-CIP Annexation Area Plan for Services*, and oral and/or written testimony were considered– and recommended that the City Council pre-zone and annex the Subject Property; and

WHEREAS, on March 19, 2019 and on November 4, 2020, the City Council held duly noticed public hearings and took public testimony for Pre-zoning Application # 01-19 (Z), at which times a Planning Department staff report, the *City-CIP Annexation Area Plan for Services*, and oral and/or written testimony were considered; and

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLUSA DOES
HEREBY RESOLVE:**

1. Recitals. That the foregoing recitals and findings are true and correct.
2. Findings of Fact. The City Council hereby finds and determines the following facts related to the proposed annexation:
 - A. The City-CIP annexation conforms with the policies and guidelines of the *City of Colusa General Plan* and the *Colusa Municipal Code*.
 - B. The Project site is located within the City of Colusa Sphere of Influence, the City of Colusa General Plan Area, and is adjacent to the existing incorporated boundary of the City of Colusa, as required by the Colusa County LAFCO policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act.
 - C. The proposed annexation boundary represents a logical expansion of the incorporated City limits, and is consistent with the Colusa County LAFCO policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act.
 - D. The Project site was planned for various infrastructure & essential services and accommodated within all City of Colusa master infrastructure planning reports, prepared subsequent to the *2007 City of Colusa General Plan*.
 - E. The *City-CIP Annexation Area Plan for Services* illustrates that various systems of City infrastructure & essential services would be available to support the proposed Project. This preliminary plan has been reviewed by City staff and is deemed sufficient to accommodate the requested annexation and pre-zoning;
 - F. The project, with the conditions of approval implemented, would not have a detrimental effect on the health, safety, peace, and welfare of persons residing or working in the neighborhood of the project, or be detrimental or injurious to property and improvements in the neighborhood, or the general welfare of the City of Colusa.
 - G. Notice of a hearing on the proposed annexation and pre-zoning was sent to all persons owning property within 300-feet of the project site as identified on the Colusa County Assessor rolls, and publicly-noticed.
 - H. Subsequent to City Council review, LAFCo will review the proposed annexation with the applicant's plan for services, conduct a fiscal analysis, hold a public hearing, and will vote on the annexation.
 - I. The project is consistent with land-use goals and the applicable policies of the *City of Colusa General Plan*, for the following reasons:
 1. The Project site is located within the area directly adjoining the current City Limits and will provide opportunities for future employment and housing consistent with General Plan Land Use Policy LU-6.1 which states "Growth shall provide a strong diversified economic base and a reasonable balance between employment and housing for all income groups";
 2. The Project site is located within the area directly adjoining the current City Limits and therefore is consistent with General Plan Land Use Policy LU-5.1.; Development patterns shall tier off of existing development and avoid leap-frogging, including areas intended for annexation that are presently outside the city limit, and Policy LU-5.2: Development patterns

shall extend primarily from Highways 20 and 45. To the extent feasible, initial phases of new developments shall begin as close as possible to existing urban areas.

3. Implementation of the *City-CIP Annexation Area Plan for Services* and compliance with standard City requirements for new infrastructure services will ensure protection of the public's health, safety, and welfare (re: Policy LU-6.3);
 4. The Project site is currently serviced by private utility infrastructure. Plans for future public infrastructure and essential services are illustrated, and deemed sufficient by City staff, within the *City-CIP Annexation Area Plan for Services* (re: Policy LU-6.4);
 5. All new City water connections within the Project site will be metered and monitored to assist with water conservation efforts (re: Policy MFS-7.2);
 6. City and/or private wastewater collection and treatment capacity is currently available to serve the Project properties, following Annexation and once physical improvements to the sewer main are approved and constructed (re Policy MFS-8.2 & -8.5);
- J. Development of utility infrastructure within the project would comply with the standards, rules, and regulations of City ordinances and regulations, subject to approval of infrastructure improvement plans and/or encroachment permits by City Engineering, Public Works and Planning Department staff.
- K. All feasible mitigation measures applicable to the Project as set forth in the City of Colusa General Plan Update Environmental Impact Report, approved and certified by the City of Colusa City Council, the General Plan Amendment and Zoning Amendment EIR for the Colusa Industrial Park, certified and approved by the Colusa County Board of Supervisors, and the County of Colusa 2030 General Plan Update EIR approved by the Colusa County Board of Supervisors are incorporated herein;
- L. Based on the analysis contained in the EIR's, the City Council finds and determines that the Project would have NO ADDITIONAL SIGNIFICANT EFFECT on the environment, that NO NEW ADDITIONAL MITIGATION MEASURES OR ALTERNATIVES may be required, and that the Project IS WITHIN THE SCOPE of the *City of Colusa General Plan Update Environmental Impact Report*, approved and certified by the *City of Colusa City Council*, the *General Plan Amendment and Zoning Amendment EIR for the Colusa Industrial Park*, certified and approved by the *Colusa County Board of Supervisors*, and the *County of Colusa 2030 General Plan Update EIR* approved by the Colusa County Board of Supervisors.

3. Adoption and Approval. That this Resolution of Application is hereby adopted and approved and the Local Agency Formation Commission of Colusa County is hereby requested to take proceedings for the reorganization of the Subject Property, and for the Amendment to the City of Colusa Sphere of Influence, as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

4. Authorization to City Manager. That City staff is hereby directed to prepare all such documents as may be required to facilitate the City-CIP Annexation and the Amendment to the City's Sphere of Influence, including but not limited to the plan for providing services, and the City Manager is hereby authorized to execute such documents, if required.

5. Notification. That the names of the officers who are to be furnished with copies of the report by the LAFCo executive application, and to be given mailed notice of the hearing are Jessie Cain, City Manager and Bryan Stice, Community Development Manager.

6. Effective Date. This Resolution shall be effective immediately.

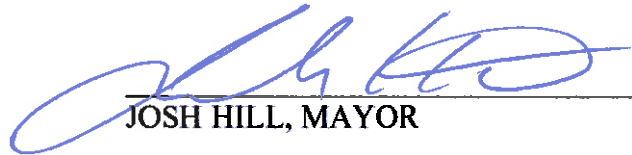
PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COLUSA ON THE 4th DAY OF NOVEMBER 2020, BY THE FOLLOWING VOTE:

AYES: Ponciano, Reische, Markss, Nobles and Hill.

NOES: None.

ABSENT: None.

ABSTAIN: None.



JOSH HILL, MAYOR

ATTEST:



Shelly Kittle, City Clerk

EXHIBITS

A: Annexation Exhibit, City-CIP Annexation Area Properties

B: *City-CIP Annexation Area Plan for Services*

EXHIBIT A

MAP OF CITY – CIP ANNEXATION AREA

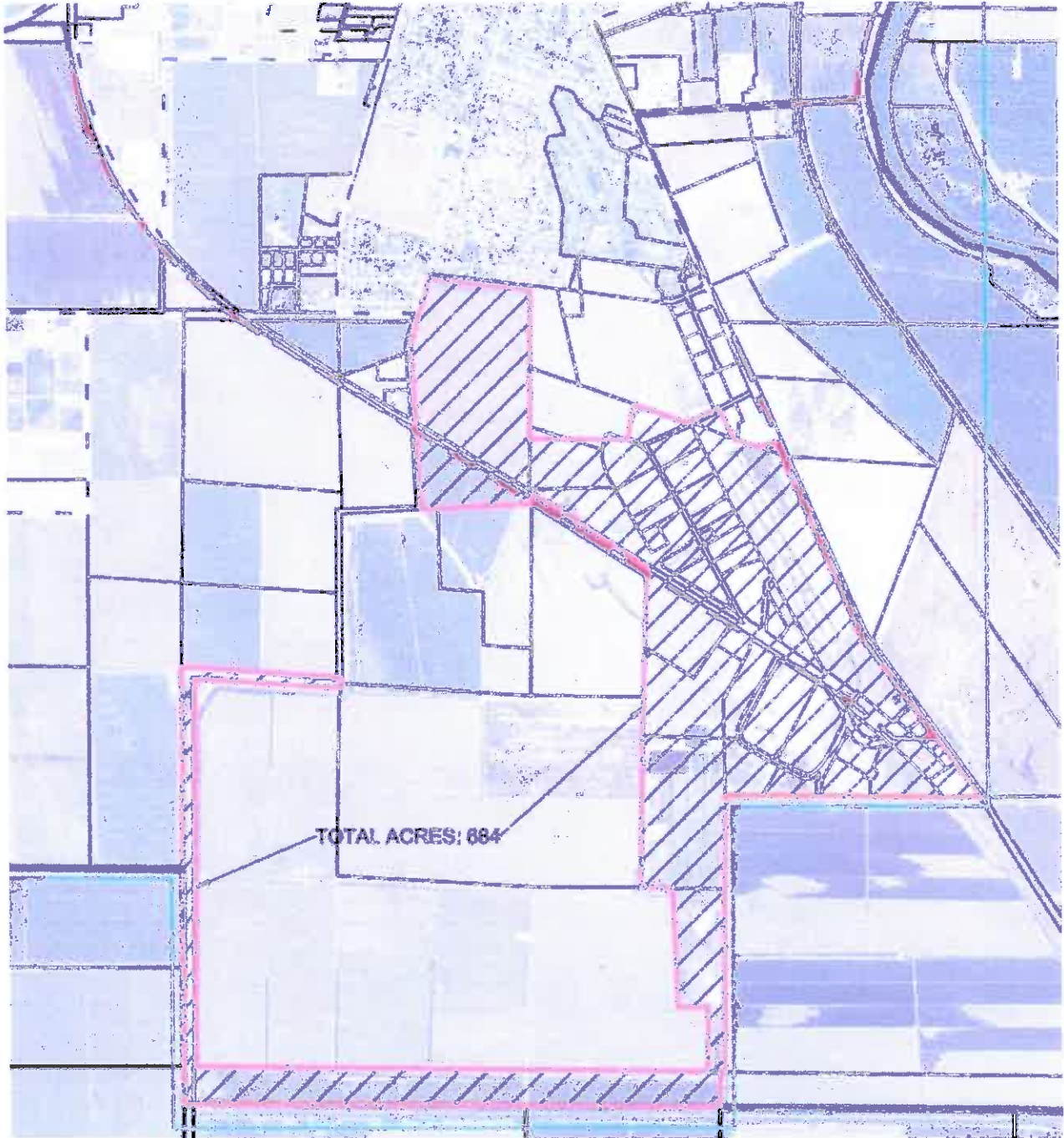


EXHIBIT B

PLAN FOR SERVICES