

TO: Olin Woods, Chair, and
Members of the Local Agency Formation Commission

FROM: Elizabeth Castro Kemper, Executive Officer

DATE: September 22, 2008

RE: Receive the Executive Officer's Report and approve the E. Parker/Story Reorganization to the Esparto Community Services District (LAFCO Proceeding No. 908) and accept the Negative Declarations of Environmental Impact as the appropriate environmental review

RECOMMENDATIONS

1. Assign the short form title, "E. Parker/Story Reorganization to the Esparto Community Services District" to this proposal.
2. Accept the Negative Declarations of Environmental Impact for this proposal and instruct the Executive Officer to file a Notice of Determination with the County Clerk
3. Make the findings and conclusions as set out in this Executive Officer's Report.
4. Approve the reorganization of the E. Parker and Story sites to the Esparto Community Services District (CSD), subject to the following conditions:
 - (a) The applicant shall pay all appropriate LAFCO, State Board of Equalization and County Clerk fees prior to recording of the Certificate of Completion for the E. Parker/Story Reorganization to the Esparto CSD.
 - (b) The project will be subject to all appropriate fees, service charges, and necessary assessments of the Esparto CSD.

COMMISSIONERS

★ Public Member Olin Woods, Chair ★

★ County Member Matt Rexroad, Vice Chair ★

★ City Members Tom McMasters-Stone, Stephen Souza ★ County Member Helen M. Thomson ★

ALTERNATE COMMISSIONERS

★ Public Member Robert Ramming ★ City Member Skip Davies ★ County Member Mariko Yamada ★

STAFF

★ Executive Officer Elizabeth Castro Kemper ★ Senior Management Analyst Elisa Carvalho ★

★ Commission Counsel Stephen Nocita ★ Commission Clerk Terri Tuck ★

- (c) That the applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo County Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document to which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive negligence on the part of the Yolo County Local Agency Formation Commission, its agents, officers, attorney or employees.
- 5. Pursuant to Government Code §56663(c), the Conducting Authority proceedings for this proposal are hereby waived.
- 6. Request the Yolo County Surveyor oversee the preparation of the final map and legal description for the proposed annexation, including correcting the title of E. Parker on the final map (Maps A and B).
- 7. Determine the effective date of the approval of this annexation to be five (5) days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.

BACKGROUND

The Yolo County Local Agency Formation Commission (LAFCO) staff originally received a landowner petition for the E. Parker/Story Reorganization to the Esparto Community Services District (CSD) on February 12, 2008. However, property tax negotiations were not completed within legal time constraints and the application was terminated. The E. Parker/Story petition was resubmitted on May 29, 2008 (Attachment A).

The current application was submitted to LAFCO by landowner petition and signed by a representative of the landowner of the proposal territory. The petitioner for Emerald Homes LT, LLC requests the reorganization of the proposal area into the Esparto CSD to receive municipal services, including domestic water, wastewater treatment and street lighting.

A total of 33.794 acres is being recommended for annexation. The petition proposes two separate parcels be annexed to the Esparto CSD. The E. Parker site is in south eastern Esparto and the Story site is in north eastern Esparto. Maps A and B reflect the two sites.

As provided by law, the landowner petition was filed pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code §56000 et seq. The Certificate of Filing was issued by the Executive

Officer on September 15, 2008. The County of Yolo, as lead agency, conducted the environmental review and adopted Negative Declarations of Environmental Impact (on file in the LAFCO Office and at www.yololafco.org) as the appropriate environmental documents. Notice of this proposal has been provided to all affected individuals and agencies. The hearing for this petition has been properly noticed, posted, and published as required by the Cortese-Knox-Hertzberg Act.

ANALYSIS OF FACTORS THAT MUST BE CONSIDERED

The requirements of Government Code §56841 (Cortese-Knox-Hertzberg Act), the Yolo County Local Agency Formation Commission Standards of Evaluation (LAFCO Resolution No. 2007-07), and the Agricultural Conservation Policy indicate that certain factors be considered in the analysis of this proposal. The reference documents for this study are the Yolo County General Plan, the Esparto General Plan, the Soil Survey of Yolo County, the negative declarations for the E. Parker/Story developments, and the Esparto Community Services District service plan. Staff also worked with the Esparto CSD Manager to obtain appropriate up-to-date information for the project.

Requests for input were distributed to the County Assessor, Auditor, Surveyor, Elections, Environmental Health, Planning Department. Responses from those departments have been included in this report as appropriate. In addition, all overlapping special districts received notice of this change of boundary application.

LOCATION AND LAND AREA – CONFORMITY WITH COUNTY GENERAL PLAN – PROPOSED LAND USE – PRESENT LAND USE – ASSESSED VALUE AND OWNERSHIP

Esparto is generally located approximately 12 miles west of the City of Woodland, approximately four miles west of Interstate Highway 505. The E. Parker site is 18.589 acres located north of State Highway 16, just east of Yolo Avenue in southern Esparto. The Story site is 15.205 acres southeast of the intersection of County Roads 87 and 20X in northern Esparto. Maps A and B reflect the two sites.

The E. Parker site is zoned R-1, Planned Development 60 and the Story site is zoned R-1, Planned Development 61. The Story project will allow for the construction of up to 78 residential units, a storm water detention basin, a tot lot, bicycle paths, streets, and associated utilities. The Elinor Parker (E. Parker) project will allow for the construction of up to 62 residential units, a storm water detention basin, a tot lot, bicycle paths, streets, and associated utilities. Both subdivision maps and the Negative Declaration of Environmental Impact for these projects were approved by the Yolo County Board of Supervisors on October 23, 2007.

According to the County Assessor's Office Emerald Homes LT LLC is the owner of record for both properties. The proposal area is in two tax rate areas with a total current assessed land value of approximately \$1,591,503. The annual tax levy for 2007-08 was The proposal area is in one tax rate area with a total current assessed land value of approximately \$1,591,503. The assessed value of the territory is described below:

Landowner	Assessor Parcel	Acreage (land)	Land Value	Improvements	Total Tax Levy
Emerald Homes LT LLC	049-250-09 (Story)	16.82	\$874,976	-0-	\$ 8,749
Emerald Homes LT LLC	049-160-15 (E. Parker)	16.88	\$716,527	-0-	\$ 7,165.

The proposal area is uninhabited. Government Code §56046 requires twelve or more registered voters to live within the proposal area before it can be considered inhabited. There are no registered voters in the proposal area.

TOPOGRAPHY, DRAINAGE AND FLOODING

E. Parker – Lamb Valley Slough is at the northern border of this site. The northern portion of this property is in the 100-year flood plain as identified by the Federal Emergency Management Agency (FEMA). In response, the project will have a 95-foot easement along the south levee of the slough to be consistent with long term plans for a regional drainage system in the Esparto community in the future. In addition, the applicant will raise the homes out of the 100-year flood plain. The second phase of the development will require construction of improvements to Lamb Valley Slough to handle 100-year flood flow capacity. Also, a Lamb Valley Slough Drainage Improvement Plan shall be prepared and submitted to the County Planning Department before approval of the final map.

Story – A small portion of the southeastern section of this property is located in the 100-year flood plain identified by FEMA. No structures are planned within the 100-year flood hazard area that would impede or redirect flood waters. There will be a 2.55 acre detention pond built in the southeastern section of the site to receive storm drainage runoff.

EFFECT ON GOVERNMENTAL AGENCIES – OTHER COUNTY DEPARTMENT INPUT– OTHER AGENCY INPUT – PROPERTY TAX NEGOTIATIONS

The E Parker proposal property lies in one tax rate area: 063-017. The local agencies located within the boundaries are as follows:

- Yolo County
- Yolo County Library
- Road District #2
- Capay Cemetery District

- Esparto Fire Protection District
- Madison-Esparto County Service Area
- Sacramento-Yolo Mosquito Vector Control District
- Yolo County Resource Conservation District
- Yolo County Flood Control and Water Conservation District
- Yolo County Office of Education
- Esparto Unified School District
- Yuba Community College District

PROPERTY TAX NEGOTIATIONS

The County Board of Supervisors approved the property tax exchange for this proposal on September 9, 2008. The annual amount of property tax revenue produced by this area in 2007/08 is \$ 15,915. Esparto CSD will receive no property tax revenue from this proposal. Instead, the CSD will recover service costs through assessments, bonds, construction, and service charges as needed. The property tax exchange also corrects a lot line adjustment that combined two legal parcels in two separate tax rate areas into one parcel identified as the Story subdivision site.

OTHER COUNTY DEPARTMENT INPUT

According to the Assessor and Auditor's offices, the Story proposal property lies in two tax rate areas (TRA): 063-017 (reflected above) and 004. The TRA 004 includes the Esparto Community Services District because a lot line adjustment was approved on April 28, 2006 combining the small 2.2 acre parcel (in 004) with the larger 14.62 acre parcel (in 017), which are now combined into the proposed Story subdivision. Since the two parcels are in different tax rate areas this lot line adjustment should not have occurred. However, this annexation should remedy the dilemma by annexing the larger parcel to the CSD, which will allow the lot line adjustment to be accurate. The new parcel (49-250-09) will not pay property tax to the Esparto CSD. As determined in the property tax agreement approved on September 9 the CSD will recover service costs through assessments, bonds, construction, and service charges as needed.

The proposal was circulated to various public agencies for comment. The Health Department staff responded that "there are no health problems in the territory involved with the proposed project", but identified possible concerns about the project, which are identified below. A response to each of the Department's concerns is provided after each comment.

- Contamination associated with agricultural activities

According to the negative declaration of environmental impact agricultural operations have not occurred on this site for a number of years. There was no contamination for either site found in the review for the negative declaration.

The applicant will submit soil sample results to the County Environmental Health Division. If the results show concentrations of contaminants above applicable regulatory limits, either the contaminated areas shall be remediated in coordination with the appropriate regulatory agency (California RWQCB, California Department of Toxic Substances Control, and/or Yolo County Environmental Health Division) or a health risk assessment should be completed to determine whether the contaminants pose a threat to future residents.

- Ensuring destruction of existing unused wells and septic systems

Demolition and removal of any unused wells and septic systems on site must comply with Yolo County Environmental Health Division and the Building Official requirements, prior to the issuance of any building permits for the subject property.

- Safety concerns associated with the adjacent Lamb Valley Slough for E. Parker:

According to the County's Conditions of Approval, the developer shall construct appropriate fencing between the home yards that back onto the Lamb Valley Slough and post warning signs.

- Capacity of wastewater and water supply system

The Esparto CSD has confirmed they will be able to provide domestic water and wastewater services to both the proposed project sites.

No other agencies provided comment that requires a response.

FIRE PROTECTION SERVICES

Fire and emergency medical services (EMS) for the project area are provided by the Esparto Fire Protection District (FPD). The District fire station is located at 16960 Yolo Avenue and is staffed by 24 volunteers and two paid staff members—the District Fire Chief and Office Manager.

The District, which covers approximately 81 square miles, is able to meet the town's needs (Burns, 2005). Average response time within the Town area is 4 minutes, outside of the town is 8 minutes. The District's Insurance Services Office (ISO) rating is a class 6 in town and class 8 in rural areas (Class 1 represents the best public protection and Class 10 the minimum recognized protection). The District's rating is typical for comparable fire protection districts in Yolo County.

The County's Conditions of Approval require the developer to pay all appropriate Esparto FPD fees. The applicant is also required to furnish, install, and/or pay all costs for fire hydrants, valves, and boxes required by the Esparto CSD and the Esparto FPD.

Fire hydrants and fire flow requirements shall be provided in conformance with the Uniform Fire Code and shall be approved by the Esparto Fire Protection District chief prior to the issuance of Building Permits.

WATER & WASTEWATER SERVICES

The Esparto CSD will provide water, wastewater and street lighting to both projects.

According to the County's Conditions of Approval for the project, the applicant must provide, install, and pay for all water and wastewater service extensions, connections, and infrastructure for the project. The developer will furnish, install and pay all costs for water and sewer connections and extensions to the existing district lateral lines as approved by the ECSD. The improvements must meet Esparto CSD standards and requirements and receive Esparto CSD approval consistent with the Water and Wastewater Treatment/Sewer Service and New Facilities Agreement signed August 9, 2008. Wastewater and water hookup fees shall be paid to the ECSD at the time building permits are issued. Services will not be provided until fees are paid in full. Public water line connections for each dwelling shall be sized to accommodate residential fire sprinkler systems, with a minimum pipe diameter of either 1.25 or 1.5 inches as required by the ECSD.

The Esparto Community Services District has agreed to provide services to the two referenced projects, subject to consistency with the signed Water and Wastewater Treatment/Sewer Service and New Facilities Agreement.

PARKS AND RECREATION

The Esparto Community Park is operated and maintained by the Yolo County Parks and Resources Department. The Madison-Esparto County Service Area (MERCESA) maintains the open space and detention ponds in the new subdivisions in Esparto. The detention pond that will be created in the Story subdivision will be maintained by MERCESA through the use of a zone of benefit to finance the ongoing costs within the subdivision.

HOUSING

The project sites are zoned Single Family Residential (R-1), Planned Development 60 (E. Parker) and 61 (Story). Planned development zones allow customizing of plans for the subdivision. The Story project will allow for the construction of up to 78 residential units and the Elinor Parker (E. Parker) project will allow for the construction of up to 62 residential units,

The 2002-2007 Yolo County Housing Element requires that 10 percent of all new single-family development be affordable to low income households. The E. Parker project will include 6 low income homes (10% of the proposed 62 units) and 7 moderate units. The Story subdivision will include 8 low income homes (10% of the proposed 78 units) and 8

moderate units. These planned low income homes meet the requirements of the inclusionary housing ordinance of the County.

ENVIRONMENTAL JUSTICE

This proposal does not discriminate based on race, culture, or income with the respect to location of public facilities and the provision of public services. This project will ensure adequate water supply, wastewater capacity, and park acreage for residents in the new subdivision consistent with current residents.

EFFECT ON OPEN SPACE AND AGRICULTURAL USES - PROXIMITY TO OTHER POPULATED AREAS - EFFECT ON ADJACENT AREAS

Both project sites are fallow agricultural land. The project sites are bordered by urban development and agriculture. The E. Parker site is bordered by homes and the Esparto High School on the north, rural homes on the west and south, industrial uses on the south and fallow agriculture on the east. The Story site is bounded on the north by existing homes, the south and west by rural home sites and a vacant, fallow agricultural field on the east. All areas surrounding both sites are designated in the general plan and zoned by the county for urban uses. None of the adjacent properties are in active agriculture. There will be minimal impacts on adjacent properties as a result of this development.

CONVERSION OF PRIME SOILS

The *Soil Survey for Yolo County, California* maps surface soils across the project sites. The E. Parker site has about 90% Tehama loam with 0 to 2 percent slopes (TaA) and 10% Marvin silty clay loam in the southeastern corner of the site. Both soils are Class II prime soils. The Story site also has two prime Class II soils types. However they are split virtually 50/50 with Capay silty clay (Ca) on the eastern side and more TaA Tehama loam on the west.

The Yolo County LAFCO Land Evaluation and Site Assessment Model (LESA) has been used to determine the relative significance of agricultural land resources of the project. The model is based on the identification of two factors: 1. Land evaluation factors such as the inherent qualities of soil and water resources; and 2. site assessment factors such as parcel size and proximity to urban areas.

LESA rates the potential effects to agriculture on a scale of 0 to 100 and the model provides scoring thresholds that divide agricultural land resources into four basic categories. Land resources that receive a score of 75 points or more are placed in Tier 1, which represents land of the very highest agricultural importance. Tier 4 represents land of the lowest agricultural importance; land resources that receive a score of 40 or fewer points are placed in this category.

The LESA model evaluation for the E. Parker and Story properties has been completed by LAFCO staff (D). The score for the Parker project is 49 while the Story site is 55; these scores classify both the project as Tier 3 Agricultural Resource – moderate agricultural importance, which indicates a moderate impact on the loss of agricultural land.

The LAFCO Agricultural Conservation Policy requires mitigation of prime agricultural land at not less than a 1:1 replacement ratio. Through its application process, the County has required the developer to mitigate for the loss of prime land by obtaining agricultural conservation easements for all the acres of prime land prior to approval of the Final Map, and to grant them to an appropriate third party, or pay the County in-lieu mitigation fees.

LAFCO's Agricultural Policy also encourages the annexation of non-prime before prime land, where feasible. All of the land surrounding the town of Esparto is I and II class soil as illustrated in the Soil Survey of Yolo County, California, i.e. prime agricultural land. Any conversion of land in the Esparto or Madison vicinity would convert prime agricultural land. However, both the subject parcels are adjacent to urban uses, are designated for urban development and the Esparto CSD can provide services due to their adjacent location to the current district boundaries.

EFFECTS ON ADJACENT AGRICULTURAL PRACTICES

Residential development has the potential to conflict with nearby agricultural uses. Impacts to agricultural uses include limitations on operations due to nuisance complaints, as well as possible trespassing and damage to crops and equipment. Yolo County and Esparto have mechanisms in place to help minimize agricultural-urban conflicts.

The property to the east of the E. Parker project is a fallow agricultural field, the remainder of adjacent land is already in urban use. The Story property has active agriculture to the north, a fallow field to the east and urban uses to the south and west. Therefore, the only active agriculture adjacent to either site is north of the Story project. The developer's site plan includes design features, including screening and road improvements, to minimize the impacts on agricultural uses and reducing urban interference.

The Yolo County Right to Farm Ordinance further protects existing agricultural uses from urban development. The County has a right to farm ordinance designed to protect properly maintained and operated agricultural uses from unwarranted nuisance complaints, and to provide a dispute resolution process for agricultural-urban conflicts. The Yolo County Right to Farm Ordinance (Title 10, Chapter 6 of the County Code) specifies that properly maintained and operated agricultural uses shall not constitute a nuisance due to any changed condition in or about the locality (if the agricultural use has been in operation for three years and was not a nuisance when it began). The ordinance also provides for a dispute resolution process for grievances related to an agricultural use. The Project Conditions of Approval require that the Final Subdivision Map include a Right-to-Farm statement covering all residential lots, which must be

approved by County Counsel and recorded to the satisfaction of the Planning and Public Works Director.

EFFECTS ON OPEN SPACE

There will be a visual reduction of open space for residents north of the E. Parker site and south of the Story project. There will be a required fee to be paid for mitigation for the loss of habitat, primarily for Swainson Hawk. The negative declaration outlines a series of mitigation actions that will be required by the applicant prior to, during and as a result of construction.

ENVIRONMENTAL ASSESSMENT

Yolo County is the lead agency under California Administrative Code Title 14, Division 6, Resource Agency for these projects. As lead agency, the County adopted a Mitigated Negative Declaration of Environmental Impact on October 23, 2007 as the appropriate environmental document for this project (on file in the LAFCO Office and at www.yololafco.org)

The negative declarations address the full range of possible impacts that may result from the construction of the two subdivisions. The areas identified with impacts of less than significant with mitigation incorporated are: agricultural resources, air quality, biological resources, hydrology and water quality and transportation and traffic. All of the impacts within these areas have been mitigated to less than significant impact through mitigation measures that are implemented by the mitigation plan. The remainder of the analyzed possible impacts including: aesthetics, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources and noise reflect less than significant impacts or no impact.

COST FOR GOVERNMENTAL SERVICES

The proposal area will require municipal services from numerous special districts. The only entity that requires annexation is the Esparto CSD. The annexation sites will require water, wastewater, and street lighting services from Esparto CSD. According to the District Service Plan from the Esparto CSD all improvements will be constructed by the developer or by funds provided by the developer.

DEFINITENESS AND CONFORMANCE OF BOUNDARY

The County Surveyor and the County Assessor have reviewed the proposed annexation of the E. Parker/Story properties into the Esparto CSD. The new proposed boundaries will not split legal parcel boundaries and lines of assessment.

However, two issues remain concerning this proposal, one for each parcel. The E. Parker site is misnamed on the annexation map as Parker Place and should be corrected to reflect the name E. Parker.

The second item concerns the Story site. Yolo County approved a lot line adjustment for the Story site in 2006 making two parcels into one. Unfortunately, the western parcel was already within the Esparto CSD and the second, eastern, parcel was outside the CSD. Inadvertently the lot line adjustment was completed, even though the resulting parcel is split by two different tax rate areas and, legally, should not exist. The proposed annexation will correct this issue and allow the new parcel to be in one tax rate area.

Yolo LAFCO staff has worked with the Auditor-Controller's Office, Assessor's Department and the Planning and Public Works Department to insure that incorrect lot line adjustments do not occur in the future. We are aware of one other incorrect lot line adjustment which should be corrected with the Dixon Commons annexation to the Yolo County Resource Conservation District.

The County Surveyor has attested that the submitted final legal description and map for this proposal are mathematically correct.

CONFORMITY WITH COMMISSION POLICY

This proposal is consistent with the Yolo County LAFCO Standards of Evaluation. The Commission favors development in urbanized areas. The annexation of these properties is consistent, logical and orderly, as it is within the Esparto CSD Sphere of Influence. The proposal area is also consistent with and designated for residential development in the Esparto and Yolo County General Plans.

ALTERNATIVE ACTIONS

Other alternatives considered in the E. Parker/Story Reorganization to the Esparto CSD.

1. Approve the E. Parker/Story Reorganization to the Esparto CSD with conditions.
2. Deny the proposal and make appropriate findings and determinations to support this decision.
3. Deny the proposal, but waive the one-year limitation to hear the proposal.
4. Continue the public hearing to receive additional information.
5. Annex only the E. Parker property or only the Story property to the Esparto CSD.

FINDINGS AND CONCLUSIONS

1. The proposal is to annex two separate parcels totaling 33.8 acres of land to the Esparto CSD.
2. The landowner petition has 100% landowner consent.
3. The property is zoned "Single Family Residential Planned Development No. 60 and 61 (R1-PD-60 & 61) by the County.

4. The reorganization includes the annexation of two parcels known as E. Parker and Story.
5. The Story parcel is legally two parcels incorrectly combined through a lot line adjustment because it remains split by two different tax rate areas.
6. The annexation of the property and property tax agreement will create a legal parcel for the Story subdivision.
7. There are no registered voters in the territory; therefore, the proposal area is considered uninhabited, as that term is defined in Government Code Section 56046.
8. The proposal area is in one tax rate area with a total current assessed land value of approximately \$1, 591,503.
9. The following agencies and districts were notified concerning this proposal: Yolo County, Yolo County Library, Road District #2, Capay Cemetery District, Esparto Fire Protection District, Sacramento-Yolo Mosquito Vector Control District, Madison-Esparto County Service Area, Yolo County Resource Conservation District, Yolo County Flood Control and Water Conservation District, Yolo County Office of Education, Esparto Unified School District and Yuba Community College District
10. Property tax transfer negotiations were completed and approved by the County on September 9, 2008 for a 2007-08 tax levy amount of \$15,914.
11. The Esparto CSD has an adequate water supply for the proposed project together with existing and planned development.
12. The Esparto CSD has adequate wastewater capacity planned.
13. The applicant will be required to pay appropriate development and connection fees to the Esparto CSD, prior to extension of sewer and water lines to the property.
14. The property contains 33.79 acres of prime agricultural land that is proposed to be developed.
15. The developer will obtain agricultural conservation easements on 33.79 acres of prime agricultural land and grant them to the Yolo Land Trust to mitigate the loss of prime agricultural land, or pay the County in-lieu fee for agricultural mitigation.
16. The Story property is adjacent to actively farmed agricultural land on the north.
17. The County of Yolo, as lead agency, prepared a Mitigated Negative Declaration of Environmental Impact as the appropriate environmental document for this proposal.
18. The Negative Declaration specified mitigation measures for agricultural resources, air quality, biological resources, hydrology and water quality and transportation and traffic.
19. The E. Parker and Story properties do not contain existing improvements.

20. The property is composed of approximately 33 acres of Class II soils.
21. The County Surveyor has agreed that the submitted legal description and maps are mathematically correct.
22. The proposal is consistent with the adopted Esparto and Yolo County General Plans and the Esparto CSD Sphere of Influence.
23. The annexations are consistent with the LAFCO Standards of Evaluation and Agricultural Conservation Policy.
24. The area proposed for reorganization represents an orderly, logical, and a justifiable extension of the district boundaries.
25. All owners of land within the Subject Territory have given their written consent to the annexation, and all subject agencies have not submitted written opposition to a waiver of protest proceedings.

Attachments:

Attachment A: Landowner Petition, which includes Maps A and B.

On file with Yolo County LAFCO and on-line at www.yololafo.org:

- E. Parker & Story Mitigated Negative Declarations of Environmental Impact

RECEIVED
FEB 12 2008
YOLO LAFCO

RECEIVED
MAY 29 2008
YOLO LAFCO

LAFCO

*Yolo County Local Agency Formation Commission
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530.666.8048(office) 530.666.8046(fax)
lafco@yolocounty.org*

PETITION FOR PROCEEDING PURSUANT TO THE
CORTESE-KNOX-HERTZBERG
LOCAL GOVERNMENT REORGANIZATION ACT OF 2001

Section I

The undersigned hereby petition(s) the Yolo County Local Agency Formation Commission for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

This proposal is made pursuant to Part 3, Division 2, Title 5 of the California Government Code (commencing with §56000 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2001).

1. Short Title: Story and E. Parker Properties Boundary Reorganization
2. The specific change(s) of organization proposed is/are (please select from the following): Annexation to the Esparto Community Services District
If "Other" was selected immediately above, please specify the action in this petition:
3. The boundaries of the territory(ies) included in the proposal are as described in the attached Exhibit(s)
4. The territory(ies) included in the proposal is/are:
 Inhabited (12 or more registered voters)
 Uninhabited (less than 12 registered voters)
5. This proposal is/is not consistent with the Sphere of Influence of the affected city and/or district(s).
 is consistent
 is not consistent

6. The reason(s) for the proposal is/are: To allow the Esparto CSD to provide water, wastewater treatment and sewer services to residential subdivisions on the properties.

7. The proposal is requested to be made subject to the following terms and conditions:
The Water and Wastewater Treatment/Sewer Service and New Facilities Agreement Between the Esparto Community Services District and Emerald Home LT, LLC for the Story Subdivision and E. Parker Subdivision, dated August 9, 2006.

8. Give a general description of the territory's natural and manmade features:
Each property is approximately 16 acres in size, relatively flat and formerly in agricultural use: Land Valley Slough is located on the north side of the E. Parker property.

9. List the Assessor's Parcel Number(s) for the affected parcels in the proposal (use additional sheet if necessary).

Story Property: APN Nos. 049-250-05, 049-250-06 049-250-09

E. Parker Property: APN No. 049-160-15

3/13/09
5/23/08

10. Provide (separately) mailing labels for all landowners and registered voters within 300' of outside proposal boundary (you may provide a computer disk with a WORD/EXCEL label list instead).

11. Have alternatives to this proposal been considered?

Yes

No If so, please list and explain: The Esparto CSD is the only available water and wastewater treatment/sewer service provider.

12. Describe the proposed changes in land use for this proposal (if applicable). From fallow agricultural land to single-family residential use.

13. If a change in land use will occur if the proposal is accepted, what is your expected timetable for the completion of the changes?

2011

14. Is there 100% written landowners consent for this proposal?

Yes

No (Please attach consent).

15. Name and identify all affected counties, cities, or districts:

Yolo County

Esparto Unified School District

Esparto Community Services District

16. The following are names of persons (not to exceed three (3) in number) who are to be sent a Notice of Filing, furnished with copies of the Executive Officer's Report, and who are to be copied on all correspondence:

Name: Mark L. Armstrong

Street Address: 412 Cliffside Drive

City, State and ZIP Code: Danville, CA 94526

Telephone: (925) 831-9081

This person is a: Vice President/General Counsel of the Company

Name: David Lazares

Street Address: 634 N. Santa Cruz Avenue, Suite 100

City, State and ZIP Code: Los Gatos, CA 95030

Telephone: (408) 399-4393

This person is a: Manager of the Company

Name: Jeff Robinson

Street Address: 4115 Blackhawk Plaza Circle, Suite 100


City, State and ZIP Code: Danville, CA 94506

Telephone: (925) 831-0575

This person is a: Vice President of the Company

17. Signature for Petition Designee (use additional sheets if needed)

Type or print name: David L. Lazares for Emerald Homes LT, LLC

Signature: 

Date: June 2, 2008

Address: 634 N. Santa Cruz Avenue, Suite 100

City, State and ZIP Code: Los Gatos, CA 95030

This person is a: Landowner-Voter

Please identify all parcels (by APN) owned by the individual:

APN No.s 049-160-15 and 049-250-09 (formerly 049-250-05 and 049-250-06)

Type or print name:

Signature:

Date:

Address:

City, State and ZIP Code:

This person is a:

Please identify all parcels (by APN) owned by the individual:

Type or print name:

Signature:

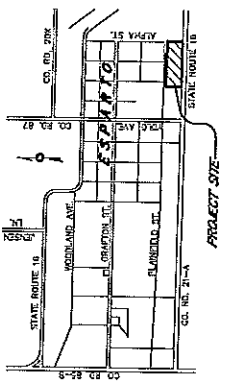
Date:

Address:

City, State and ZIP Code:

This person is a:

Please identify all parcels (by APN) owned by the individual:

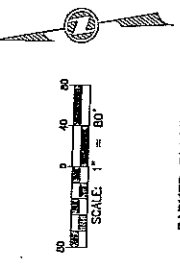


VICINITY MAP
AS SHOWN

BOUNDARY DESCRIPTION.
ALL THAT REAL PROPERTY SITUATE IN THE COUNTY OF YOLO, STATE OF CALIFORNIA AND BEING A PORTION OF RANCHO CANADA DE CAPAY LOCATED IN TOWNSHIP 10 NORTH, RANGE 1 WEST, MOUNT Diablo BASE AND MERIDIAN, ALSO BEING A PORTION OF PARCEL 3 AS SHOWN ON BOOK 1988 OF MAPS AT PAGES 36 AND 37, SAID COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 3, SAID POINT ALSO BEING ON THE NORTH LINE OF STATE HIGHWAY 16, THENCE, ALONG SAID NORTH LINE, NORTH 79°45'21" WEST, 1243.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 3, THENCE, ALONG THE WEST LINE OF SAID PARCEL 3, WITH 100°00'00" EAST 672.89 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 3; SAID POINT ALSO BEING ON THE SOUTH LINE OF THAT CERTAIN ANNEXATION MAP ENTITLED "DISTRICT BOUNDARY MAP", LAFCO PROCEEDING NO. 616; THENCE, ALONG SAID SOUTH LINE, THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) SOUTH 77°43'41" EAST 244.83 FEET, 2) SOUTH 78°03'50" EAST 485.26 FEET, AND 3) SOUTH 77°45'38" EAST 463.31 FEET TO THE WEST LINE OF LAFCO PROCEEDING NO. 823; THENCE, ALONG SAID WEST LINE, SOUTH 100°00'00" WEST, 2102. FEET TO THE SOUTHWEST CORNER OF SAID LAFCO PROCEEDING NO. 823; SAID POINT ALSO BEING ON THE CENTER LINE OF JAMES VALLEY CREEK CHANAL, THENCE, ALONG THE SOUTH LINE OF SAID LAFCO PROCEEDING NO. 823, SOUTH 77°45'38" EAST 684.50 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL 3; THENCE, ALONG SAID EAST LINE, SOUTH 100°00'00" WEST 810.68 FEET TO THE POINT OF BEGINNING.

TOTAL ANNEXATION AREA: 18.589 ACRES OF LAND, MORE OR LESS.

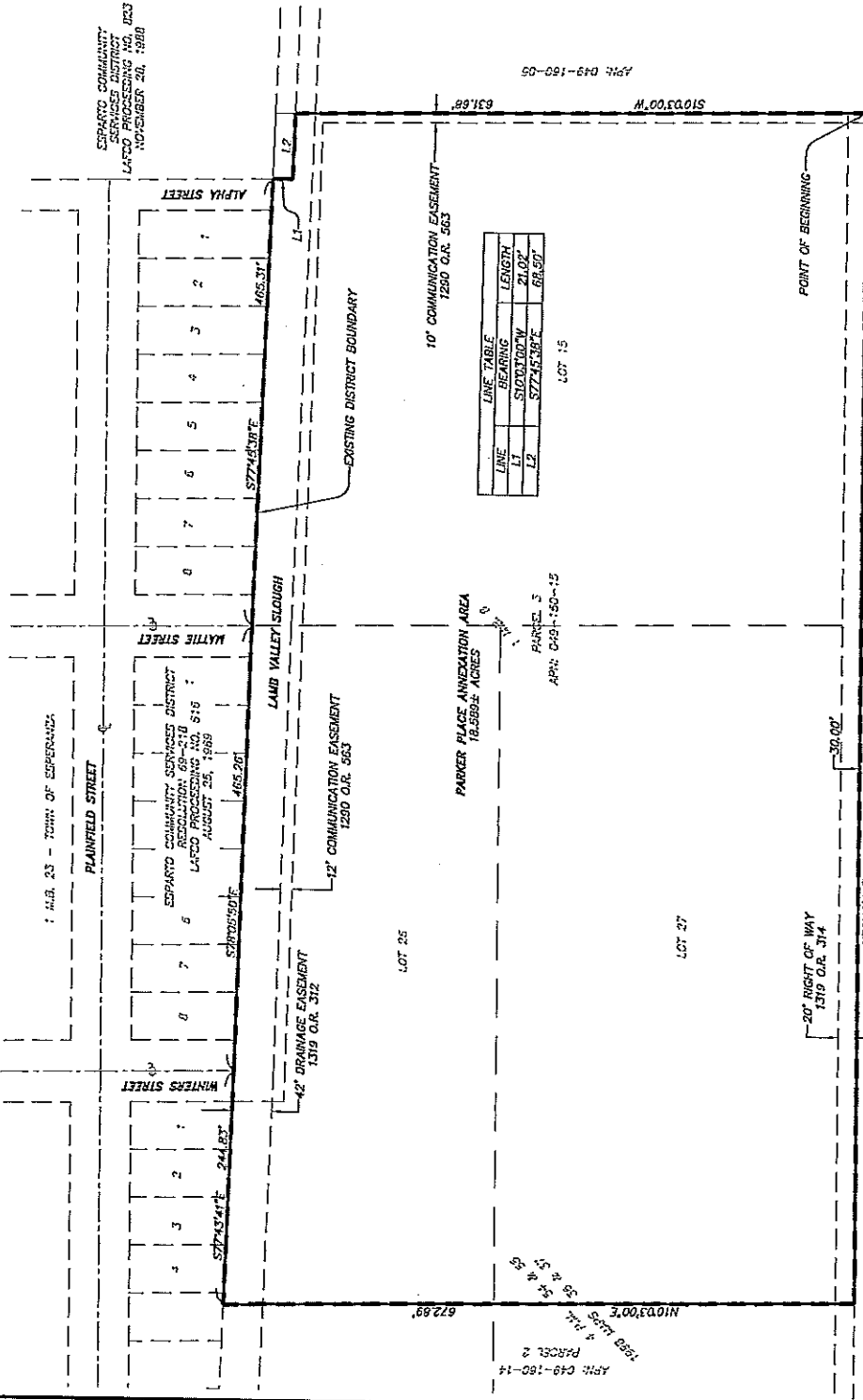


PARKER PLACE ANNEXATION
TO THE
ESPARTO COMMUNITY SERVICES DISTRICT
BEING A PORTION OF RANCHO CANADA DE CAPAY IN TOWNSHIP 10 NORTH, RANGE 1 WEST, MOUNT Diablo BASE AND MERIDIAN,



LAUGHLIN AND METKLE
600 COURT AVENUE
SAN FRANCISCO, CALIF. 94105
PHONE (415) 462-1725
FAX (415) 462-6022

SHEET 1 OF 1 FEBRUARY 25, 2008



LOT 15

LINE	BEARING	LENGTH
L1	S100°00'00" W	21.02'
L2	S77°45'38" E	68.50'



APPROVED BY LAFCO
LAFCO PROCEEDING NO. 2100
CHAIRSMAN _____ DATE _____

STEVEN B. KLINGER _____ DATE _____

BOUNDARY DESCRIPTION

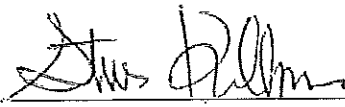
All the real property situate in the County of Yolo, State of California, and being a portion of Rancho Canada De Capay, located in Township 10 North, Range 1 West, Mount Diablo Base and Meridian, and also being a portion of Parcel 3 as shown on Book 1998 of Maps, at Pages 36 and 37, said County Records, being more particularly described as follows:

BEGINNING at the Southeast corner of said Parcel 3, said point also being on the North line of State Highway 16; thence, along said North line, North 79°46'42" West 1,243.09 feet to the Southwest corner of said Parcel 3; thence, along the West line of said Parcel 3, North 10°03'00" East 672.89 feet to the Northwest corner of said Parcel 3; said point also being on the South line of that certain Annexation Map entitled "District Boundary Map", LAFCO Proceeding No. 616; thence, along said South line, the following three (3) courses and distances: (1) South 77°43'41" East 244.83 feet; (2) South 78°05'50" East 465.26 feet; and (3) South 77°45'38" East 465.31 feet to the West line of LAFCO Proceeding No. 823; thence, along said West line, South 10°03'00" West 21.02 feet to the Southwest corner of said LAFCO Proceeding No. 823; said point also being on the centerline of Lamb Valley Creek Canal; thence, along the South line of said LAFCO Proceeding No. 823, South 77°45'38" East 68.50 feet to a point on the East line of said Parcel 3; thence, along said East line, South 10°03'00" West 610.68 feet to the point of beginning.

Total Annexation Area is 18.589 acres of land, more or less.

End of description.




Steven B. Killmer

2/28/08
Date

BOUNDARY DESCRIPTION

All the real property situate in the County of Yolo, State of California, and being a portion of Rancho Canada De Capay, located in Township 10 North, Range 1 West, Mount Diablo Base and Meridian, and also being a portion of Lot 25 of the Bonyng Tract Map, filed in Book 1 of Maps, at Page 8, said County Records, and also being a portion of Parcels A, B and C as described in that certain Lot Line Adjustment, recorded in Document No. 2006-0016886-00, said County Records, being more particularly described as follows:

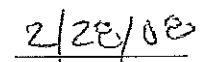
BEGINNING at the intersection of the centerline of County Road No. 87 and the Westerly projection of the North line of said Lot 25; thence, from said POINT OF BEGINNING, and along said North line and the Easterly and Westerly projections thereof, South 79°48'04" East 1,499.14 feet to the centerline of Duncan Road; thence, along said centerline, South 10°13'21" West 472.48 feet to a point on the Easterly projection of the South line of said Lot 25; said point also being on the North line of that certain Annexation Map entitled "District Boundary Map LAFCO Proceeding No. 616; thence, along said Proceeding No. 616, the following five (5) courses and distances: (1) North 79°57'00" West 1,270.00 feet; (2) North 01°15'00" East 100.00 feet; (3) North 79°57'00" West 50.00 feet; (4) North 10°15'00" East 145.00 feet; and (5) North 79°57'00" West 179.30 feet to a point on said centerline of County Road No. 87; thence, along said centerline, North 10°13'53" East 231.38 feet to the point of beginning.

Total Annexation Area is 15.205 acres of land, more or less.

End of description.




Steven B. Killmer


Date