

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite 100
Sacramento, California 95814
(916) 874-6458

March 26, 2004

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **Aspen IV Reorganization (05-04) Annexation to the Sacramento Regional County Sanitation District (SRCSD) and County Sanitation District No.1 (CSD No.1)**
[CEQA: Negative Declaration]

CONTACT: Donald J. Lockhart, AICP Assistant Executive Officer (916) 874-2937

RECOMMENDATION

1. Consider the Negative Declaration and Mitigation Monitoring and Reporting Program previously determined to be adequate and complete by County of Sacramento, as the CEQA lead agency, and direct the Executive Officer to file the Notice of Determination with the County Clerk;
2. Approve the Aspen IV Reorganization, (05-04) Annexation to the Sacramento Regional County Sanitation District (SRCSD) and County Sanitation District No.1 (CSD No.1);
3. Authorize your Clerk to waive the Conducting Authority proceedings pursuant to Government Code Section 56663, due to one-hundred percent consent of affected landowner and affected agencies;
4. Authorize your Chair to sign the Resolution making these determinations.

FPPC DISCLOSURE

Commissioners Roberta MacGlashen, Illa Collin, Muriel Johnson, and Lauren Hammond have received contributions from Teichert (c/o John Cassidy) and Taylor & Wiley (agent for the proponents,) within the last 12 months and will not participate, vote or otherwise sit as Commissioners on this matter.

PROJECT PROPONENTS

Teichert Land Company
3500 American River Drive
Sacramento, CA 95864-5893
Attn: Michael Smith

Sacramento City Unified School District
425 1st Avenue
Sacramento, CA 95818-2032
Attn: Thomas Gallegos

PROJECT DESCRIPTION

The project site is uninhabited, with no registered voters. This reorganization consists of the annexation of approximately 113 acres into the Sacramento Regional County Sanitation District (SRCSD) and County Sanitation District No.1 (CSD No.1)

The affected territory includes the newly constructed Rosemont High School (83 acres,) a proposed gated, 109 unit, single-family residential subdivision, (27 acres) and 3 acres set aside for future retail/commercial uses. The residential population at buildout would be approximately 273 people.

This reorganization has been landowner initiated, in conjunction with related land use entitlements processed by the County of Sacramento.

These annexations are required to satisfy conditions of approval for the Aspen IV Planned Development (County Control No. 020593.), as tentatively approved by the Sacramento County Board of Supervisors, January 28, 2004. The conditions of project approval must be satisfied prior to the approval of the final map.

Assessor Parcel Numbers (APN)	Acres	Ownership	Assessed Valuation
063-0030-015 074-0020-059	83	SCUSD	\$000,000.00
063-0030-014 074-0020-058 &060	30	Teichert	\$204,011.00
TOTAL	113 acres		\$204,011.00

The entire project is within the Sphere of Influence of both SRCSD and CSD-1.

ZONING AND LAND USE

	Existing Land Use	Zoning
Subject Property:	Vacant, Rosemont H.S	Industrial Reserve - Surface mining (IR-SM)
North	Commercial, County Branch Center	General Commercial, Light Industrial (GC, M-1)
East	Bradshaw Rd. Surface Mining Operation	Heavy Industrial – Surface Mining (M-2 – SM)
South	Surface Mining Operation, Retention Basin	Industrial Reserve - Surface mining (IR-SM)
West	Single Family Residential, Cordova Golf Course	Residential Density 5 Units/Acre, Recreation (O)

The property has been approved for surface mining on several occasions, most recently in 1991 (91-UPB-0592.) It is referred to as Aspen IV. Mining operations have not been conducted on-site, as this portion of the overall permit area lacks commercially viable aggregate resources, according to County staff.

The affected territory has been rezoned to Residential Density 5 Units/Acre and Limited Commercial.

CONDUCTING AUTHORITY PROCEEDINGS -100% CONSENT

The affected territory is wholly owned by the Chief Petitioners, who have initiated the annexation. The affected districts consent to the annexation. Thus, there is no need for a protest hearing.

The Rosemont Community Association, affected property owners, and landowners within 500' of the project site, have been notified of the date, time and place of the hearing on this proposal. No protest has been received.

ENVIRONMENTAL CONSIDERATIONS

Consistent with the direction of your Commission, staff has worked with affected local agencies to further coordination and avoid redundancy in the CEQA review process. This proposal incorporates the Negative Declaration and Mitigation Monitoring and Reporting Program previously prepared and accepted by the County of Sacramento, as lead agency, with responsible agency consultation by LAFCo. Use of the lead agency documentation streamlines the LAFCo proceedings, and results in time and cost savings for the project applicant.

The Sacramento Local Agency Formation Commission finds that, with respect to the Aspen IV project, the Commission is a responsible agency for compliance with the California Environmental Quality Act pursuant to §15381 of the Guidelines for

Implementation of CEQA, and that the County of Sacramento, as lead agency, certified a mitigated Negative Declaration for the Aspen IV project on January 28, 2004.

The Sacramento Local Agency Formation Commission further finds that the project assessed by the County of Sacramento is the same as that being considered by the Commission, and that the Commission has consulted with the lead agency in the preparation of the Negative Declaration as required by §15096 of the Guidelines for the Implementation of CEQA. The Commission further finds that the Commission has considered the certified Negative Declaration in its evaluation of the Aspen IV project, and that no mitigation measures identified in the Negative Declaration are within the jurisdiction or authority of the Commission to implement.

The Commission further finds that though the project site is currently in open space use (mineral extraction), because the project site is not shown for continued open space use on the December 15, 1993 Open Space Preservation Strategy Diagram of the Sacramento County General Plan, the site does not meet the definition of protected open space as defined by Government Code §65560. Additionally, in consideration of the status of open space resources on the site, because the project area does not consist of prime agricultural land as defined by Government Code §56064, and because the project area is within the Sphere of Influence of both CSD 1 and the SRCSD, the Commission finds that conversion of the site to urban uses is consistent with the policy of Government Code §56377.

Based on the foregoing, the Commission hereby directs that a Notice of Determination be filed based on the Commission's action on the Aspen IV project.

Affected Agencies:

Sacramento County Regional Sanitation District and County Sanitation District No.1.

As previously mentioned, sanitary sewer service is required to provide for development of the project, for the Teichert owned land. The Rosemont High School facility was constructed in 2003 and is currently receiving sanitary sewer service. Infrastructure to serve the school was installed by and at the expense of the SCUSD.

As an oversight, the parcel was not annexed into the districts at the time of construction. The application includes the high school parcel as a "housekeeping" measure for all affected parties.

SRCSD and CSD No.1 have provided the following comments regarding the ability to provide service to the affected territory

Service Territory

The lands proposed for annexation are within the Sphere of Influence of both agencies.

The Districts master plans have provisions for providing sanitary sewer service to these parcels.

Infrastructure/ Fees and Charges

Development of the affected territory will be subject to the standards, ordinances, and mitigation fees established by the Districts, reducing any potential impacts to existing ratepayers to less than significant.

Infrastructure is in place adjacent to the proposed subdivision. Both SCRSD and CSD No. 1 have the means and capacity to serve the development, without adversely impacting existing service levels or ratepayers.

Other Affected Agencies

The proposal was reviewed by:

City of Rancho Cordova, Cordova Recreation and Parks District, CalAmerica Water Company, Sacramento Metropolitan Fire District, Sacramento City Unified School District, the Cordova CPAC, the Sacramento County Public Works Agency, and the Sacramento Metropolitan Air Quality Management District.
No objections were raised.

CONCLUSION AND RECOMMENDATION

Approval of the project will ensure the provision of sanitary sewer service to land currently designated by the County for public facilities, limited commercial and low density residential development.

I recommend your Commission approve the Aspen IV change of organization and waive the Conducting Authority proceeding, pursuant to Government Code Section 56663, due to one-hundred percent consent of affected landowners and affected agencies

Respectfully,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Peter Brundage
Executive Officer

Attachments:

- A. Resolution approving the reorganization, and waiving conducting authority proceedings.
Exhibit A CEQA Findings Of Fact and Negative Declaration