

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

STAFF REPORT

AGENDA OF AUGUST 23, 2006

REGULAR MEETING

TO: Ted Long, Chairman, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Frink, Policy Analyst

AGENDA ITEM #7: Bell Woods II Reorganization

LAFCO Project No. 2006-01

PROPONENT(S): Brian Holloway, Western Pacific Housing, Inc.

DESCRIPTION OF PROJECT

The proposal involves two parcels and consists of 36.19 acres. The Bell Woods reorganization will annex one parcel (APN 119-020-07) consisting of approximately 34 acres into Cameron Park Community Services District (CPCSD) to obtain fire protection, emergency response services, parks, recreation, open space maintenance and other related services. The development project includes 54 single family residences and two open space areas. At the request of LAFCO, the proposal has been enlarged to include an adjacent 2.5 acre open space parcel (APN 115-120-15) which will annex into El Dorado Hills Community Services District (EDHCSD) for open space management. The addition of this parcel will avoid creation of a service island. Both parcels will detach from County Service Area 9, Zone 19 (recreation zone).

PURPOSE

The reorganization will provide for the provision of park and recreation services and fire protection services to the future residents of the Bell Woods subdivision. It will also provide for open space maintenance to the adjacent open space parcel. Services to support the development of Bell Woods include community parks, recreational facilities, street lighting and landscape and open space maintenance, CC&R administration and enforcement, fire protection services, and emergency medical services. The proposed project includes 54 single family homes and two planned open space areas totaling approximately 10 acres.

The reorganization will also provide open space management and maintenance to the adjacent open space parcel and will eliminate the service island that currently exists.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Recognize that El Dorado County, as the lead agency for the Bell Woods portion of the reorganization, in consultation with LAFCO, has prepared a Mitigated Negative Declaration and CEQA determinations which have been found to be adequate and complete for the purposes of the annexation of the 34-acre Bell Woods subdivision parcel; and direct staff to prepare a Notice of Determination pursuant to Title 14, Chapter 3, Section 15096 (Responsible Agency) of the California Code of Regulations for this action.
2. Recognize that El Dorado LAFCO, as the lead agency for the 2.5-acre open space portion of the reorganization, conducted an Environmental Review under CEQA and determined that a Categorical Exemption #20 (CEQA Guideline §15320(a)) was the appropriate Environmental Review document for this annexation; and direct staff to prepare a Notice of Exemption pursuant to Title 14, Chapter 3, Section 15096 (Responsible Agency) of the California Code of Regulations for this action.
3. Adopt Staff's recommended list of findings and recommendations (as specified in Attachment E), adding any additional conditions the Commission finds appropriate and approving the Bell Woods II Reorganization.
4. Waive the Conducting Authority Proceedings subject to Government Code §56663 and local policies.
5. Direct the Executive Officer to complete the necessary filings and transmittals as required by law.
6. Determine the effective date of the approval of this agreement to be five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.

REASON FOR RECOMMENDATION

Annexation into the CPCSD for park and recreation and fire protection is necessary in order to support the development of Bell Woods. It will provide services to the subject area that are essential to development of the area.

Annexation of the additional 2.5-acre parcel into EDHCS is necessary to provide open space maintenance and to eliminate a service island that is outside of relevant service boundaries.

LOCATION

The Bell Woods project area is located near the intersection of Country Club Drive and Covello Circle, north of Highway 50 in the Cameron Park / El Dorado Hills area. The adjacent parcel is directly northeast of Bell Woods. Both proposal parcels are outside of CPCSD's and EDHCS's sphere of influence and have not yet been identified with

either community. Bell Woods is within the Bass Lake Hills Specific Plan (BLHSP).

CEQA

El Dorado LAFCO will act as the Lead Agency for the inclusion of the 2.5-acre open space parcel that was subsequently added to the proposal. This inclusion was not covered in the Mitigated Negative Declaration prepared by the County and needed to be addressed under the provisions of the California Environmental Quality Act (CEQA). LAFCO conducted an Environmental Review and determined that a categorical exemption under State Code §15320(a) was appropriate. It was found that this portion of the project is exempt from the provisions of CEQA under Section 15320(a) of the Public Resources Act, which provides for changes in organization of local agencies, specifically the establishment of a subsidiary district. The 2.5-acre open space parcel is currently maintained by County Service Area 9 Zone 17. Upon Commission approval of this proposal, the parcel will be annexed into EDHCSD for the provision of open space maintenance, and will detach from CSA 9, Zone 17.

El Dorado County, as the Lead Agency for the project, prepared and certified a Mitigated Negative Declaration (MND) for the Bell Woods portion of the project on May 24, 2005. Within the scope of this environmental review, the environmental impacts of the reorganization were addressed.

The MND prepared for Bell Woods included a Mitigation Monitoring Program that addressed measures necessary to mitigate the potential significant effect that the project could have on the surrounding area, and identified the responsible parties and included the provisions to be followed. Mitigation measures from the Bell Woods MND and Addendum to the BLHSP EIR are included at the end of the report as Attachment D. Areas within the MND of interest to LAFCO include:

Hydrology and Water Quality

Compliance with Water Quality Standards: The proposed project would create new sources of urban runoff such as oil, gasoline, and other chemicals which could potentially have adverse impacts on water quality. The Program EIR for the Bass Lake Hills Specific Plan (BLHSP) area determined that the Specific Plan has the potential to result in significant short-term water quality impacts during the construction period, and long-term water quality impacts due to urban runoff and accumulated pollutants after development (BLHSP EIR, page E-10). Mitigation measure E03 of the BLHSP EIR requires projects to develop Best Management Practices to be implemented during construction to protect water quality. Mitigation measures MM 3.7.1 and MM 3.7.2 are proposed to better define the minimum BMPs necessary for the project and ensure consultation with the Regional Water Quality Control Board. Implementation of these mitigation measures would ensure that the impact remains less than significant.

Erosion Impacts: Potential water quality impacts could occur during grading and construction activities associated with the development, including increased sediment loads due to erosion at the construction site. Pollutants could be transported from the construction site and roadways to the area waterways. Many of the pollutants are water-soluble which can affect oxygen diffusion rates and result in potentially harmful effects on fish and other aquatic organisms. The BLHSP EIR addressed this impact and

mitigation measures were adopted to lessen the effects. Mitigation measures MM 3.7.3 through MM 3.7.14 are revisions to the previously adopted measures, made applicable to Bell Woods. Compliance with these measures would reduce potential impacts on surface water quality by limiting sediment loading and preventing urban pollutants from entering waterways. Thus, the project would have a less than significant impact on surface water quality.

Flooding Impacts: The Bell Woods Drainage Study concluded the following:

- Development of the proposed Bell Woods project would result in increased runoff to the Bar J and Chelsea Road drainages; and
- Proposed detention ponds located in the Bell Woods project are effective in mitigating increases in peak runoff due to project development for a 100-year storm design. Flows exiting the site, tributary to either the Chelsea or Bar J drainages, are at or below pre-development levels; and
- The existing Crystal Lake outflow channel has adequate capacity to convey the computed 100-year lake outflow across the Bell Woods site.

Therefore, implementation of mitigation measures E02 of the BLHSP EIR and mitigation measures 3.7.7 through 3.7.14 of the MND would lessen potential impacts to drainage to a less than significant level.

Surface Water Quality: The proposed project would create new impervious surfaces and create additional storm runoff in the project area. Operational water quality impacts were addressed in the BLHSP EIR and Addendum to the EIR, which found long-term degradation of runoff water quality to be an unavoidable consequence of residential development that cannot be entirely avoided, but will be partially mitigated by implementation of mitigation measures E01, E02, and E03 of the BLHSP EIR. Mitigation measure E03 of the BLHSP EIR requires development of best management practices relative to soil erosion and MM 3.7.1 through 3.7.14 if the MND identifies these practices relative to construction runoff and runoff from the project and during operation. The Board of Supervisors adopted a Statement of Overriding Considerations for significant and unavoidable impacts associated with long-term runoff water quality degradation for the BLHSP area. The proposed project is the same as that analyzed in the BLHSP EIR and Addendum to the EIR; therefore, this impact is considered less than significant.

Land Use

The BLHSP EIR considered the change in land use from low intensity rural residential and agricultural use to a more urban environment to be a significant and unavoidable impact. Subsequently, the Board of Supervisors adopted a Statement of Overriding Consideration to this effect. Though the project would result in land use changes, physical impacts of the proposed project are addressed under other technical sections of the MND such as traffic, visual resources, air quality, hydrology and water quality and geology and soils. The Bell Woods development is consistent with the text and maps of the 2004 El Dorado County General Plan. Because the project is consistent with the land use designations for the site, land use impacts associated with the change from rural residential to urban are considered less than significant.

Public Services

Fire and Emergency Medical Services: The entire BLHSP project's effects on fire protection were studied as a whole in the BLHSP EIR and Addendum (adopted June 24, 1992 and November 7, 1995, respectively). The El Dorado Hills County Water District (EDHCWD) indicated that a fire station would be needed to accommodate the proposed growth within the entire BLHSP area. Impacts to fire protection were found to be significant and unavoidable by the Board of Supervisors because a site had not been identified or accepted by EDHCWD and a Statement of Overriding Considerations was adopted to that effect. The Statement acknowledged that once a site is identified and accepted by EDHCWD, this impact would be reduced to less than significant through payment of fees and/or dedication of land by the entire BLHSP. Since then EDHCWD has acquired a site and built, equipped and staffed the station, located at 3670 Bass Lake Road. Mitigation Measure K06 of the BLHSP EIR states that the development fee applied to each residential unit should cover capital costs for structure and equipment for the needed fire station.

The Bell Woods development is subject to current fire codes, which would decrease the likeliness of structure related fire responses. The EDHCWD has reviewed the Bell Woods project and identified certain requirements. These requirements are included as mitigation measure MM 3.12.1 to ensure that the measures are completed. Impacts to fire protection are considered potentially significant unless mitigation is incorporated.

Police Protection: The BLHSP project's effects on police protection were studied in the BLHSP EIR and Addendum and mitigation measures were incorporated which reduce the level of potential impact to less than significant. Mitigation Measure K05 of the BLHSP EIR Addendum states that since the Sheriff's Department is funded through the County General Fund, the County Board of Supervisors has the responsibility to allocate funds to maintain an adequate level of service. Therefore, impacts to the Sheriff's Department are considered less than significant.

Schools: Construction of the proposed residential units for the entire BLHSP area would generate students. Impacts to schools were addressed in the BLHSP EIR and the Buckeye Unified School District (BUSD) identified the need for a school site. The EIR determined the impacts to schools to be significant and unavoidable because a school site had not been accepted by the BUSD. A school site has since been acquired and plans for construction of a K-5 elementary school are currently underway to serve the additional students in the BLHSP area. The County Office of Education will collect school mitigation fees within the Specific Plan that have been established by the Development Agreement; therefore, the impacts to school facilities are considered less than significant.

Parks: Construction of the proposed residential units would generate the need for parkland. Parks and recreation impacts were addressed in the BLHSP EIR and Addendum and found to be less than significant with the implementation of mitigation measure I02 which states that El Dorado County ordinances require an agreement with the Board of Supervisors as to the manner in which the park requirements are met.

The project site is not currently within either the EDHCSD or CPCSD. Annexation into one or both of the park districts would be required. At the time that the MND was

prepared, EDHCSD indicated that service could be provided to the entire site following annexation; CPCSD indicated a preference that half of the project site be annexed into the CPCSD and the other half into the EDHCSD. Both community service districts are capable of serving the project site. According to the MND, a determination on which parks district would service the site would be made by LAFCO following project approval.

The project is subject to the Quimby Act and dedication requirements for parkland based on standards of five acres per 1,000 persons. Population density is based on 3.3 persons per home, which works out to 0.89 acres of parkland to be dedicated to a parks district. The central portion of the Bell Woods site is identified as Open Space. In-lieu fees will be negotiated with the developer. Following annexation, the project would be subject to the park impact fees in place at the time the building permits are issued. Mitigation measure MM 3.12.2 is intended to ensure the formation of a homeowner's association that would finance street lighting, landscaping and open space management. With this, the impacts to parks are considered less than significant.

Recreation: Construction of the proposed homes would increase demand for parks and recreation facilities. Following annexation to a parks district, the proposed project would be required to pay in-lieu fees for parkland construction within the BLHSP area. With provision of parkland and recreation facilities within the BLHSP area, it is anticipated that the project would have a less than significant impact on existing recreation facilities. All construction of park and recreational facilities would be required to comply with the applicable BLHSP EIR mitigation measures and the mitigation measures in the MND concerning impact to erosion, water quality, and air quality. Construction would also be required to comply with the El Dorado County Grading Ordinance. Therefore, impacts to the environment potentially resulting from construction of new recreation facilities are considered less than significant.

Utilities and Service Systems

Water and Wastewater Service: The Bell Woods project area is already within the service boundaries for El Dorado Irrigation District (EID) for the provision of water and wastewater service.

There are two existing water mains adjacent to the western and northwestern BLHSP boundary. The Specific Plan currently has water infrastructure close to the Bell Woods project site, which would require major transmission lines and storage facilities for water service. The water supply for the BLHSP comes predominantly from Folsom Lake authorized under the State Water Resource Conservation Board issued Water Right Order WR2002-22. EID's 2006 Water Resources and Service Reliability Report calculated the water meter availability for the El Dorado Hills Service Area to be 1,151 EDUs. The Bell Woods project would require 27 EDUs of potable water. Water distribution lines will be located within major street right-of-ways. Service to elevations above 1,280 feet will require the use of a pump station during periods of high demand to sustain pressure. Service to any proposed subdivision within the BLHSP is contingent upon EID Policy 22–Service Procurement and EID Policy 41–Water Supply Reliability. These two policies are identified in the BLHSP EIR mitigation measures.

EID's Final Updated Wastewater Master Plan concluded that a number of system

improvements (including improvements to lift stations and sewer pipelines) will be needed to handle future population growth. It also concludes that Deer Creek Wastewater Treatment Plant's secondary treatment system is adequate to serve projected population growth through 2025. The El Dorado Hills Wastewater Treatment Plant needs to be enlarged to handle growth after 2015. EID has expanded both the El Dorado Hills and Deer Creek Wastewater Treatment Plants from 1.6 MGD and 2.5 MGD to 3.0 MGD and 3.6 MGD, respectively. Ultimate expansion for planning purposes caps the treatment plants at 8.6 MGD and 10.8 MGD. The BLHSP, at buildout, is expected to contribute 0.437 MGD. The offsite collection facilities may require some limited upgrades. As a result, payment of facility connection charges and AD3 buy-ins will provide the financing for all necessary off-site improvements for the collection and treatment of wastewater within the Specific Plan.

The Board of Supervisors determined water and wastewater impacts to be less than significant for the BLHSP with implementation of mitigation measures specific to the BLHSP. To ensure, however, that the mitigation measures adopted for the Specific Plan are carried out at this project level, revised versions of the mitigation measures MM 3.15.1 through 3.15.6 will be implemented.

Water Supply: Impacts to water supply were addressed in the BLHSP EIR and found to be significant and unavoidable because water was not available when the EIR was prepared and certified. However, as stated previously, water supply has since been authorized for use through EID under the SWRCB issued Water Right Order WR2002-22 issued on October 16, 2001.

Drainage: Adequate control of drainage and storm water quality is a prerequisite to development in the Specific Plan area. Individual projects in the Specific Plan shall address their drainage impacts in compliance with the County of El Dorado Drainage Manual and Specific Plan policy. Detention and retention facilities are considered as in-tract improvements and are developer funded.

Solid Waste: Additional development would generate additional solid waste. There is ample available and planned capacity at the Lockwood Landfill to accommodate county needs into the foreseeable future. Given that the existing landfill is expected to have adequate capacity through 2025 and beyond, this impact is considered less than significant.

Mandatory Findings of Significance

The project has the potential to result in significant impacts related to air quality, biological resources, and hydrology and water quality. Potential project impacts such as air quality, transportation/traffic, hydrology and water quality, provision of public services, provision of utilities, and noise could cause substantial adverse effects in human beings, either directly or indirectly. However, mitigation measures are available to reduce all of the above impacts to a less than significant level.

Cumulative Impacts

There are several proposed developments within the BLHSP area. The Bell Woods project, together with other proposed and planned developments in the vicinity, could result in potentially significant cumulative impacts. However, the project would not result in any greater contribution to cumulative effects than was considered in the BLHSP EIR

and Addendum. Bell Woods, along with other area projects, could have potential cumulative effects on hydrology and water quality, land use and planning, population and housing, public services, recreation, transportation and circulation and utilities and service systems. Mitigation measures in place are intended to reduce the cumulative impacts in each of these areas to less than significant levels.

Conclusion

Although the proposed project could have a significant effect on the environment, revisions in the project have been made by or agreed to by the developers to lessen the impact. The Mitigated Negative Declaration prepared by the County addressed the environmental impacts of the Bell Woods reorganization and ultimately determined that, by way of mitigation, the proposed action would not have a significant impact on the environment. Staff has carefully reviewed this document and finds the analysis to be accurate and adequate for the annexation proposal at hand.

BACKGROUND

A petition for the original Bell Woods Reorganization; LAFCO Project No. 04-11 was initiated in November of 2004 by the current property owner at the time, N. C. Brown Development, Inc. This project was subsequently closed on December 29, 2005 due to failure on the applicant’s part to complete application requirements within the Commission’s timeframe as outlined in Policy 3.1.7 of the Policies and Guidelines. The current Bell Woods property owners, Western Pacific Housing, Inc. initiated a second reorganization application with El Dorado LAFCO in February of 2005.

The both parcels involved in the reorganization are currently undeveloped and uninhabited per State Law. The Bell Woods property (APN 119-020-07) is 33.69 acres and is a component of the Bass Lake Hills Specific Plan, adopted by the County on November 7, 1995. The planned future use of the parcel is to subdivide it for the development of 54 single family homes and two open space lots. The 2.5-acre parcel (APN 115-120-15) is currently maintained open space, which is also the planned future use for the property.

SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the following factors:

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Need for organized services, probable future needs	1 – Consistent	The reorganization will allow for development supporting services, fire and emergency protection, and open space management for the Bell Woods development and the adjacent open space parcel.

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Ability to serve, level and range of service, time frames, conditions to receive service	2 – Consistent	Reorganization is contingent upon sphere amendments for CPCSD and EDHCSD. Both CPCSD and EDHCSD have indicated they have the necessary capabilities to serve the project area.
Timely availability of adequate water supply	3 – Consistent	The territory is currently within the El Dorado Irrigation District (EID) service area and services are available for the approved development.
Alternatives to service, other agency boundaries, and local gov't structure	4 – Consistent	The alternative to staff recommendation would be the provision of fire service by the EDHCWD. See below for a complete discussion.
Significant negative service Impacts	5 – Consistent	There are no negative service impacts anticipated for CPCSD's or EDHCSD's current residents if the reorganization were approved as proposed.
Coordination of applications	6 – Consistent	No other services are necessary to serve the Bell Woods area. The 2.5-acre parcel was added to the proposal at the request of LAFCO staff in order to avoid the creation of a service island.
Present cost/adequacy of governmental services, including public facilities	7 – Consistent	Present and planned services and facilities appear adequate to serve the Bell Woods development and the adjacent open space area without any negative cost or service impacts to present residents.

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Effect of proposal on cost & adequacy of service in area and adjacent areas	8 – Consistent	There are no foreseeable external costs involved in this proposal to the subject agencies or their current residents. The reorganization is expected to provide revenues to the agencies that will offset the long and short-term costs of future residents' use of existing services and facilities.
Effect of alternative courses of action on cost & adequacy of service in area and adjacent areas	9 – Consistent	The reorganization as proposed is the most logical alignment of local government boundaries, given that CPCSD is a multi-service agency.
Sufficiency of revenues, per capital assessed valuation	10 – Consistent	Revenue will be collected through property tax increments, assessment charges, Quimby in-lieu fees and user charges. CPCSD and EDHCSD have both approved the property tax redistributions recommended by the County.
Revenue producing territory	11 – Consistent	Collected revenue is expected to offset the cost of providing park and recreation, open space management and fire protection services to the subject area; however, the revenue is not expected to exceed those costs.
56668.3 "best interest"	12 – Consistent	The proposal is consistent with LAFCO, CPCSD and EDHCSD policies; the reorganization is supported by the current landowners and both annexing agencies.

<p>Boundaries: logical, contiguous, not difficult to serve, definite and certain</p>	<p>13 – Contingent Upon Commission action</p>	<p>Contingent upon Commission adoption of the proposed sphere of influence amendments for CPCSD and EDHCSD, the subject area will be within the appropriate spheres for the reorganization proposal. The service areas will not be difficult to serve.</p>
<p>Topography, natural boundaries, drainage basins, land area</p>	<p>14 – Consistent</p>	<p>There are no topographical features within the proposal area that will hinder service to this area.</p>
<p>Creation of islands, corridors, irregular boundaries</p>	<p>15 – Consistent</p>	<p>The reorganization will comprise the entire Bell Woods territory and adjacent open space area and will not create an irregular boundary, island, peninsula, cherry stem or flag configuration. The 2.5-acre open space parcel was added to the reorganization at the request of LAFCO staff to avoid the creation of a service island. The proposal will create a more logical, orderly boundary for the CPCSD and the EDHCSD.</p>
<p>Conformance to lines of assessment, ownership</p>	<p>16 – Consistent</p>	<p>The boundaries conform to the existing lines of assessment and ownership; no current parcels have been split in this reorganization.</p>
<p>Spheres of Influence</p>	<p>17 – Inconsistent</p>	<p>Neither parcel is currently within a SOI for a park district; they represent an island between CPCSD and EDHCSD. This reorganization proposal is contingent upon Commission adoption of SOI amendments for CPCSD and EDHCSD.</p>

<p>Effect on adjacent areas, communities of interest</p>	<p>18 – Consistent</p>	<p>The reorganization as proposed will create a unified community of interest within Bell Woods, residents would identify primarily with Cameron Park.</p>
<p>Information or comments from landowners or owners</p>	<p>19 – Consistent</p>	<p>Bell Woods property owners requested that the development be annexed into CPCSD for the provision of parks and recreation and fire protection and emergency medical services. The owners of the open space parcel agreed with LAFCO staff's recommendation that the parcel be annexed into EDHCSD for open space maintenance.</p>
<p>Effect on other community services, schools</p>	<p>20 – Consistent</p>	<p>The effects on parks and recreation, fire protection, police services and schools are addressed below.</p>
<p>Other agency comments, objections</p>	<p>21 – Consistent</p>	<p>Comments were received from CPCSD, EDHCSD, EDHCWD and the Agricultural Commission. CPCSD is in full support of the reorganization, EDHCSD originally requested Bell Woods be annexed to it, but has since accepted the annexation of only the 2.5-acre parcel. EDHCWD is opposed to the proposal and requested that Bell Woods be annexed to it for fire protection. These comments are addressed further in Section 4. The Agricultural Commission submitted comments regarding a small amount of choice soils in the found in the area. This comment is addressed in Section 27.</p>

<p>Fair share of regional housing needs</p>	<p>22 – Consistent</p>	<p>The reorganization proposal will result in the County meeting its Regional Housing Needs Assessment goals for moderate income groups or higher.</p>
<p>Land use, information relating to existing land use designations</p>	<p>23 – Consistent</p>	<p>The proposal is consistent with the County General Plan and the current zoning and land use designations.</p>
<p>Population, density, growth, likelihood of growth in, and in adjacent areas, over 10 years</p>	<p>24 – Consistent</p>	<p>The projected population increase from the entire proposal is approximately 178 persons at buildout. Both properties are currently considered uninhabited per State law.</p>
<p>Proximity to other populated areas</p>	<p>25 – Consistent</p>	<p>Surrounding land uses are primarily high density residential. The proposed Bell Woods development is in complete conformance with surrounding land uses.</p>
<p>Consistency with General Plans, specific plans, zoning</p>	<p>26 – Consistent</p>	<p>The proposed project is a part of the BLHSP and is consistent with the future planned land use and zoning of the Specific Plan and the 2006 County General Plan.</p>
<p>Physical and economic integrity of agriculture lands and open space</p>	<p>27 – Consistent</p>	<p>A small amount of choice soils is located within the Bell Woods property, but is insufficient to support viable agricultural activities. The development contains two open space areas that total 10.37 acres, and the adjacent parcel is 2.5 acres of open space.</p>
<p>Optional factor: regional growth goals and policies</p>	<p>28 – Unknown</p>	<p>Neither SACOG nor SPO could provide applicable regional growth goals and policies.</p>

DETERMINATIONS

The Commission should review the factors summarized above and discussed below, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is uninhabited per Government Code §54046. Application for this reorganization is made subject to Government Code §56650 et seq. by landowner petition.
2. The territories proposed for annexation are within the appropriate spheres of influence for the Cameron Park CSD and the El Dorado Hills CSD. The properties are contiguous to the respective boundaries and the reorganization will provide more logical and orderly boundaries for the respective districts.
3. The Mitigated Negative Declaration prepared for this project by El Dorado County is adequate and complete and satisfies the requirements of the California Environmental Quality Act.
4. The annexation will not result in negative impacts to the cost and adequacy of services otherwise provided in the area and is in the best interests of the affected area and the total organization of local government agencies.
5. The annexation will not have an adverse effect on agriculture and open space lands.
6. Make the determinations as specified in the Findings and Recommendations (Attachment E).

DISCUSSION

Government Code §56668 and LAFCO Policies require that the review of an annexation proposal shall consider the following factors:

(Numbered items 1-6 relate to services)

1. ***NEED FOR ORGANIZED COMMUNITY SERVICES, PROBABLE FUTURE NEEDS:*** Applicants shall demonstrate the need and/or future need for governmental services and that the proposal is the best alternative to provide service (Policies 3.1.4(b), 6.1.7; §56668(b)).

RESPONSE: The purpose of the reorganization proposal is to annex the proposed Bell Woods development (approximately 34 acres) into CPCSD for the provision of park and recreation services, open space management, fire protection and emergency response services. Bell Woods is a planned subdivision consisting of 54 single family homes surrounding a large open space area. The reorganization will allow for development supporting services needed by future residents and provide for the management, financing and maintenance of open space lands. The Bell

Woods project site is within the BLHSP area and is a planned component of the 2006 County General Plan.

The proposal also includes a 2.5 acre parcel that is to remain in permanent open space status. This parcel is adjacent to Bell Woods, and is proposed to annex into EDHCSD for the purpose of obtaining open space management. This parcel is already within the El Dorado Hills County Water District service boundary for fire protection. This addition was made at the request of LAFCO staff in order to eliminate the creation of a service island.

2. **ABILITY TO SERVE, LEVEL AND RANGE OF SERVICE, TIME FRAMES, CONDITIONS TO RECEIVE SERVICE:** Prior to annexation the applicants and proposed service providers shall demonstrate that the annexing agency will be capable of providing adequate services which are the subject of the application and shall submit a plan for providing services (Policy 3.3, §56668(j)).

RESPONSE: The Bell Woods development and additional open space parcel are not currently within a sphere of influence for a park district. The larger 34-acre parcel is also not contained within a sphere of influence for a fire protection provider. Upon Commission adoption of the Sphere of Influence Amendments for CPCSD and EDHCSD, the Bell Woods proposal area will be within the appropriate spheres for the necessary services (including parks and recreation, open space management and fire protection and emergency services). The larger 34-acre parcel will annex to CPCSD for the provision of parks and recreation and fire protection services; the smaller 2.5-acre open space parcel will annex to EDHCSD for the provision of parks and recreation service (necessary for management of the open space). Both parcels will concurrently detach from County Service Area 9, Zone 17 (recreation zone).

The applicant's Plan of Service is included at the end of this report as Attachment C. CPCSD and EDHCSD have affirmed that they are able to provide the necessary services within the time frame anticipated in the Plan of Service.

3. **TIMELY AVAILABILITY OF ADEQUATE WATER SUPPLY:** The Commission shall consider the timely availability of water supplies adequate for projected needs (§56668(k)).

RESPONSE: The territory is currently within the El Dorado Irrigation District (EID) service area and services are available for the approved development. Bell Woods is entitled to receive water, wastewater treatment and recycled water services from EID. As required by EID's Regulation 31, recycled water will be utilized by the project. A dual piped system supplying both recycled water and potable water will serve each of the proposed homes. This will decrease the water demand by approximately one half. Therefore, the proposed number of EDUs (equivalent dwelling units) necessary for the project will be 27 instead of 54. EID confirmed through Facility Improvement Letter 0206-022 that 2,434 EDUs were available in the Western Water Supply Region. In order to receive service, infrastructure construction and improvements of facilities may be required. This will be

determined by EID through an agreement with the developer. The water supply for Bell Woods will come predominantly from Folsom Lake, authorized under the State Water Resource Conservation Board issued Water Right Order WR2002-22.

4. **ALTERNATIVES TO SERVICE, OTHER AGENCY BOUNDARIES, AND LOCAL GOVERNMENT STRUCTURE:** The Commission shall consider alternatives to the proposal, proximity of other agency boundaries and alternative courses of action. Where another agency objects to the proposal, LAFCO will determine the best alternative for service (Policies 3.3.2.2(g), 6.1.3).

RESPONSE: The proposed Bell Woods development will require both park and recreation services and fire protection and emergency services. The recommended staff action is to annex the parcel into CPCSD for the provision of all these services. CPCSD has indicated full support of this action (see CPCSD comment letter, Attachment F).

EDHCSD originally requested that all, or part, of the Bell Woods development be annexed into their District for parks and recreation. Splitting the current parcel between CPCSD and EDHCSD based on the proposed subdivision lines is not viable because the open space will be maintained by an assessment charged to all residents within the Bell Woods subdivision. In addition, State regulations require that assessments be assigned to one district only and cannot be apportioned. At a subsequent meeting with the developer on July 14, 2006, EDHCSD agreed that the proposed annexation to CPCSD would continue to be processed as is (see the meeting note from Brian Holloway, Attachment H).

EDHCWD submitted comments on the proposal (see Attachment G) opposing staff's recommendation to the Commission. The alternative would be to annex Bell Woods into CPCSD for parks and recreation services and annex the territory into EDHCWD for fire protection. This opposition was based on several points, the most notable of which are outlined below along with LAFCO staff's analysis:

- *"The responsibility for fire protection services for this development was always viewed by the original applicants to be provided by the El Dorado Hills Fire Department." In light of this, EDHCWD spent considerable resources constructing a new fire station located on Bass Lake Road. This station (Station 86) was intended, in part, to serve the Bell Woods parcel as well as the rest of the BLHSP area.*

After extensive review of both the BLHSP and the Bass Lake Hills Public Facilities Financing Plan (PFFP), staff has concluded that the BLHSP was non-committal in identifying which district would provide fire protection services to Bell Woods. The PFFP on the other hand, assumed that that EDHCWD would be the annexing district.¹ It was a reasonable assumption by the District to have made financial decisions based on the document; however, the PFFP was written with little or no LAFCO input. The BLHSP,

¹ The PFFP is intended to be a guidance document that accompanies the BLHSP and was not adopted by the County.

adopted by the County, was purposely ambiguous as to which district would be the fire protection provider for Bell Woods.

- *El Dorado Hills' Station 86 located at 3670 Bass Lake Road is the closest fire station from Bell Woods, approximately 1 mile closer than Cameron Park's Station 81 located at 3200 Country Club Drive (1.5 miles and 2.4 miles, respectively).*

The difference of one mile should not significantly affect the response time for a medical or fire emergency. In terms of service provision, the fire access lane in the middle of the subdivision negates any arguments from either district about the other's inability to provide services. There are only two points of entry/exit planned for Bell Woods; Salt Wash Way and Covello Circle. Salt Wash Way connects on the western side of the proposal area, into the EDHCSD boundaries. Covello Circle connects on the southeastern side of the proposal area, into the CPCSD boundaries. In order for either district to provide service to the entire Bell Woods subdivision, they would need to utilize the fire lane to access the other side. In addition, LAFCO staff believes that upon buildout of the BLHSP area, EDHCWD's Station 86 will have many additional residences which will require fire protection services as well.

Neither district has been able to provide evidence to LAFCO affirming that one agency is providing better services than the other. Upon review of both districts for this proposal, and as determined in the Countywide Fire Suppression and Emergency Services MSR, both appear to have adequate resources in place that would enable them to provide quality fire protection services to Bell Woods. In light of the above information and the obvious capabilities of both districts, the decision for annexation comes to State Law §56001 and LAFCO Policies and Guidelines Section 3.8.1.(b). Both favor annexations into multi-service districts over single-purpose districts. These are included as Attachments I and J, respectively. In addition, the applicant has requested that Bell Woods be fully annexed into CPCSD, which should be taken into consideration since the provision of service would be approximately the same administered by either district.

5. **SIGNIFICANT NEGATIVE SERVICE IMPACTS:** Services provided to the territory will not result in a significant negative impact on the cost and adequacy of services otherwise provided (Policy 6.2.4, §56668.3(b)).

RESPONSE: Impact fees, Quimby in-lieu fees and a share of the future property tax increment will offset the impacts of the future residents on the CPCSD. Bell Woods is subject to the Quimby Act and dedication requirements for parkland based on standards of five acres per 1,000 persons. Population density is based on 3.3 persons per home, equaling approximately 0.89 acres of parkland to be dedicated to CPCSD. Since Bell Woods does not include any parkland in their subdivision map, it is assumed that they will reimburse the district through in-lieu fees. This revenue will mitigate the impacts of these residents on the district's parks and recreation facilities and programs.

The CPCSD strongly supports the annexation of Bell Woods for the provision of both park and recreation services as well as fire protection and emergency medical services. The property tax increment negotiated between CPCSD and the County was 21%, assuming all services will be provided by CPCSD. The Cameron Park Fire Department Master Plan and Capital Improvement Plan (2005-2014) addresses the growth in the proposal area and elsewhere within and around the district. The Plan provides for a future fire station to accommodate anticipated growth. The costs of capital improvements needed to serve new development will be funded primarily by collection of development impact fees. A total of 19 paid staff currently serve the 18,225 residents, with one firefighter per approximately every 960 residents. The increase in population due to the proposal will have a negligible effect on the current service ratio, increasing it to one firefighter per every 968 residents. The annexation of the Bell Woods development will enhance services to existing residents of CPCSD by augmenting the funding available for increased staffing.

EDHCSD will receive a share of the future property tax revenue from the 2.5-acre open space parcel, which will offset the impact that it will have on the rest of the district upon annexation. The parcel is expected to remain in permanent open space, so no development impact fees are anticipated in the future. Maintenance will be funded primarily by the 10% increment of property taxes, negotiated by EDHCSD and the County during the AB-8 process. The parcel is directly south of another permanent open space maintained by EDHCSD, thereby achieving some economies of scale.

6. **COORDINATION OF APPLICATIONS:** If a project site can be anticipated to require additional changes of organization in order to provide complete services, the proposal shall be processed as a reorganization (Policy 3.1.10). Where related changes of organization are expected on adjacent properties, petitioners are encouraged to combine applications and LAFCO may modify boundaries, including the addition of adjacent parcels to encourage orderly boundaries (Policy 3.1.9).

RESPONSE: Sphere of Influence amendments are necessary for both the CPCSD and EDHCSD boundaries in order to adopt the reorganization. Upon prior Commission approval, the areas proposed for annexation will be entirely within the appropriate spheres. Both parcels are currently within EID's service area for the provision of water and wastewater service. The 2.5-acre parcel was added to the proposal at the request of LAFCO staff in order to avoid the creation of a service island for park and recreation services. The parcel is already receiving fire protection from the El Dorado Hills County Water District. No other services appear necessary to serve the Bell Woods area or the adjacent parcel. The proposed reorganization will complete the boundary changes necessary for the development of the plan. There are no neighboring properties that require reorganization or additional services.

(Numbered items 7-12 relate to cost and revenues)

7. **PRESENT COST/ADEQUACY OF GOVERNMENTAL SERVICES, INCLUDING PUBLIC FACILITIES:** The Commission shall consider existing government services and facilities, cost and adequacy of such services and facilities (§56668(b), Policy 3.3). If service capacity and/or infrastructure will be expanded, the applicant will submit cost and financing plans (Policy 3.3.2.2).

RESPONSE: Present and planned services and facilities appear adequate to serve the Bell Woods development and the adjacent open space area. Both CPCSD and EDHCSD's services were reviewed in the 2004 Parks and Recreation Municipal Service Review and LAFCO staff believes the services provided are comparable. Cameron Park Fire Department's services were reviewed in the 2006 Countywide Fire Suppression and Emergency Services Municipal Service Review, which determined that the District has adequate resources to provide service to the area without any negative cost or service impacts to present residents. Neither district appears to have any current service deficiencies.

Bell Woods is within one mile of three existing CPCSD parks, and the Cameron Park Lake facilities are located approximately 3.17 miles from Bell Woods. A new community center, including a gymnasium, kitchen facilities and an aquatics center with a competition-size swimming pool is in the planning stages for CPCSD. This new center will be located .54 miles from Bell Woods at 2502 Country Club Drive.

No new fire service facilities would be required by CPCSD to serve Bell Woods. Response times to the area are lower than District and County standards. Staffing will remain higher than 1 firefighter per 1,000 persons. The CPCSD Fire Master Plan and Capital Improvement Plan (2005-2014) provide plans for an additional fire station to accommodate anticipated growth. Development impact fees from the Bell Woods subdivision and other development within the District will provide the necessary funding to support the future construction of this facility.

EDHCSD currently maintains an open space area in Bridlewood Canyon, directly north of the 2.5-acre open space parcel. Maintenance of both areas could be combined to eliminate duplication of effort and to take advantage of the economies of scale.

8. **EFFECT OF PROPOSAL ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider existing and proposed government services and facilities, the cost and adequacy of such services and facilities and probable effect of the proposal on the area and adjacent areas (§56668(b) and Policy 3.3). LAFCO will discourage projects that shift the cost of service and/or service benefits to others or other service areas (Policy 6.1.8).

RESPONSE: CPCSD and EDHCSD have reviewed and approved property tax sharing agreements for the proposal area. In addition, development impact fees and Quimby in-lieu fees will support the cost of services. The reorganization is expected to provide revenues to the agencies for the long and short-term costs of

future residents' use of existing CPCSD services and facilities. There are no foreseeable adverse effects involved to existing residents.

9. **EFFECT OF ALTERNATIVE COURSES OF ACTION ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider the cost and adequacy of alternative services and facilities (§56668).

RESPONSE: From a service provision standpoint, LAFCO is neutral regarding which district could provide adequate fire protection. Services could be administered to Bell Woods from either CPCSD or EDHCWD with little or no differences in the level of service. Both agencies appear to have the necessary capacity and resources to adequately provide for the fire and emergency response needs of this subdivision.

From a district boundary standpoint though, it is more logical to annex Bell Woods into a multi-service agency that could provide for fire protection along with parks and recreation. Speaking solely in terms of local government organization, State Law and LAFCO Policies and Guidelines support this type of annexation, when feasible. In addition, State Law requires that the Commission action must not split parcels or legal lines of ownership.

10. **SUFFICIENCY OF REVENUES, PER CAPITA ASSESSED VALUATION:** 56668(j)

RESPONSE: The total assessed value of the reorganization area is \$1,659,164; the larger parcel proposed for the Bell Woods subdivision has an assessed value of \$1,652,400, and the smaller 2.5-acre open space parcel has an assessed value of \$6,764. It is expected that after the subdivision of the Bell Woods property and subsequent construction of residences, the subdivided parcels will increase in value.

The County and CPCSD have negotiated a property tax revenue sharing agreement, with CPCSD receiving 21% of the property tax revenue from the Bell Woods property. Additional revenue to offset the increased service demands will be collected through development impact fees, Quimby in-lieu fees and other user charges. Assessments will also be collected from the Bell Woods residents for maintenance of the open space area within their subdivision.

EDHCSD and the County agreed upon a 10% share of the property tax revenue during the AB-8 property tax negotiation process for the open space parcel. This will cover the cost of maintaining the 2.5-acre open space parcel.

11. **REVENUE PRODUCING TERRITORY:** The proposed annexation shall not represent an attempt to annex only revenue-producing territory (Policy 6.1.1).

RESPONSE: The Bell Woods property will consist of 54 single family residences and two open space areas upon subdivision. The total assessed value of the Bell Woods area is expected to increase upon completion of the development. Revenue will be collected by the annexing agencies that is projected to be consistent with

services provided, and long-term agency operations and infrastructure costs.

The 2.5-acre open space parcel is currently managed open space and is expected to remain so in the future. The total assessed value of the property is not anticipated to increase upon Commission approval of the reorganization. Revenue will be collected to offset the cost of open space maintenance.

12. **"BEST INTEREST":** The Commission shall consider whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district (§56668.3).

RESPONSE: The reorganization appears to be consistent with LAFCO, CPCSD, and EDHCSD policies and is in the best interests of the future residents of the Bell Woods area. The proposal will provide essential and desirable services to the future residents of Bell Woods. The reorganization is supported by the current landowners and both annexing agencies.

(Numbered items 13-17 relate to boundaries)

13. **BOUNDARIES: LOGICAL, CONTIGUOUS, NOT DIFFICULT TO SERVE, DEFINITE AND CERTAIN:** The proposed boundary shall be a logical and reasonable expansion and shall not produce areas that are difficult to serve (§56001). Lands to be annexed shall be contiguous (Policy 3.9.3, §56741-cities) and should not create irregular boundaries, islands, peninsulas or flags (Policy 3.9.4). The boundaries of the annexation shall be definite and certain and conform to existing lines of assessment and ownership (Policy 3.9.2, §56668(f)).

RESPONSE: Contingent upon Commission adoption of the proposed sphere of influence amendments for CPCSD and EDHCSD, the subject area will be within the appropriate spheres for the reorganization proposal. The district annexations will represent an orderly and logical expansion of service boundaries to each of the districts. The Bell Woods property (APN 119-020-07) is contiguous to the CPCSD service boundaries on the southern and eastern sides. The 2.5-acre open space parcel is contiguous to the EDHCSD service boundaries on the northern side. This parcel was added to the reorganization at the request of LAFCO staff to avoid the creation of a service island. Contiguity for each parcel is sufficient to create an orderly boundary and service areas that are not difficult to serve. Both CPCSD and EDHCSD have indicated that services can be extended to the area without creating service deficiencies for their existing customers.

14. **TOPOGRAPHY, NATURAL BOUNDARIES, DRAINAGE BASINS, LAND AREA:** Natural boundary lines which may be irregular may be appropriate (Policy 3.9.6). The resulting boundary shall not produce areas that are difficult to serve (Policy 3.9.7).

RESPONSE: The proposal is consistent with the area's natural features. The entire proposal site is currently undeveloped land that is covered with dense trees and foliage. There is a slight slope; although the overall topography could be described as fairly level. There are no topographical features within the proposal area that will hinder service to this area.

15. **CREATION OF IRREGULAR BOUNDARIES:** Islands, peninsulas, "flags", "cherry stems", or pin point contiguity shall be strongly discouraged. The resulting boundary shall not produce areas that are difficult to serve. The Commission shall determine contiguity (Policies 3.9.3, 3.9.4, 3.9.7).

RESPONSE: The reorganization will comprise the entire Bell Woods territory and adjacent open space area and will not create an irregular boundary, island, peninsula, cherry stem or flag configuration. The 2.5-acre open space parcel was added to the reorganization at the request of LAFCO staff to avoid the creation of a service island. The proposal will create a more logical, orderly boundary for the CPCSD and the EDHCSD.

16. **CONFORMANCE TO LINES OF ASSESSMENT, OWNERSHIP:** The Commission shall modify, condition or disapprove boundaries that are not definite and certain or do not conform to lines of assessment or ownership (Policy 3.9.2).

RESPONSE: The boundaries conform to the existing lines of assessment and ownership; no current parcels have been split in this reorganization. The project maps have been reviewed by the County Surveyor and were found to be definite and certain.

17. **SPHERES OF INFLUENCE:** Commission determinations shall be consistent with the spheres of influence of affected local agencies (Policy 3.9.1).

RESPONSE: The Bell Woods area is not currently within a sphere of influence for a fire protection district or a park district. The adjacent open space area is also not within a sphere of influence for a park district, although it currently receives fire protection from the El Dorado Hills Fire Department. The entire subject area represents an island between the spheres of influence for CPCSD and EDHCSD. Prior to taking action on this proposal, the Commission needs to adopt a sphere amendment for both of these districts. LAFCO staff is recommending that CPCSD's sphere is amended to include the Bell Woods parcel, and that EDHCSD's sphere is amended to include the adjacent open space parcel. Upon Commission adoption of these amendments, the subject parcels will both be within the appropriate spheres for annexation.

(Numbered items 18-21 relate to potential effect on others and comments)

- 18. EFFECT ON ADJACENT AREAS, COMMUNITIES OF INTEREST:** The Commission shall consider the effect of the proposal and alternative actions on adjacent areas, mutual social and economic interests and on the local governmental structure of the county (§56668(c)).

RESPONSE: After careful consideration, LAFCO staff has determined that the reorganization proposal would not significantly break the Bell Woods community of interest. Bell Woods is surrounded on two sides by Cameron Park subdivisions that are already built out; it is surrounded on one side by an El Dorado Hills subdivision that is in the process of being built out. While a fair argument could be made that the 23 homes on the western side of Bell Woods that would enter from Salt Wash Way (see Map A) would identify more with El Dorado Hills, staff determined that because this portion of the BLHSP is not yet built out, the Bell Woods residents searching for existing amenities would utilize the parks and recreational facilities of CPCSD. It is also important to note that it is necessary to annex the entire Bell Woods area into the same CSD for the provision of park and recreation services; the area cannot be split between CPCSD and EDHCSD because of the open space portion within Bell Woods. Open space maintenance will be funded by a homeowner assessment which will provide revenue for the annexing district to manage the area. The subdivision has not yet been finalized, and therefore, LAFCO is dealing with the reorganization of a single, large parcel. State law and LAFCO Policies and Guidelines state that LAFCO must make decisions based on legal lines of ownership, lead staff to the recommendation that CPCSD should provide both park and recreation services and fire protection to the Bell Woods development.

Annexing Bell Woods into EDHCWD for fire protection could similarly create confusion among the residents as to which community to identify with (El Dorado Hills or Cameron Park). From a community of interest standpoint, it makes sense to annex Bell Woods into one service district that is capable of providing multiple services.

- 19. INFORMATION OR COMMENTS FROM THE LANDOWNER OR OWNERS:** The Commission shall consider any information or comments from the landowner or owners.

RESPONSE: The Bell Woods parcel is owned in its entirety by Western Pacific Housing, Inc.; the adjacent 2.5-acre open space parcel is owned in its entirety by the Bridlewood Canyon Owners. In a meeting with LAFCO staff on May 23, 2006, Brian Holloway, representing the Bell Woods property owners, reaffirmed the position that they would like to see Bell Woods annexed into CPCSD for the provision of parks and recreation and fire protection and emergency services. The desire was also expressed that the subdivision not be split between districts for services. This would create a more unified community identity among the future residents of Bell Woods.

- 20. EFFECT ON OTHER COMMUNITY SERVICES, SCHOOLS:** LAFCO's review of services refers to governmental services whether or not those services are provided by local agencies subject to the Cortese-Knox-Hertzberg Act, and includes public facilities necessary to provide those services.

RESPONSE:

Park and Recreation Services: Park and recreation services would be provided to the Bell Woods development by CPCSD upon Commission approval of the CPCSD sphere amendment and the reorganization proposal. The subdivision has land set aside for an open space. CPCSD has proposed to work with the developer to maintain this area through the establishment of Lighting and Landscaping Assessment Districts (LLADs). State regulations require that LLADs be assigned to a single district and cannot be apportioned. The district will provide recreational opportunities for the future Bell Woods residents in the form of three existing community parks within one mile of the subdivision and the 52-acre Cameron Park Lake facility which includes a natural pool area, tennis courts, picnic and barbeque areas, paddle boat and canoe rentals, concession stand, playground, and walking paths. CPCSD also will offer a planned community center which will include a gymnasium, pool, commercial kitchen, classrooms and meeting rooms. This facility is expected to be constructed within the next year.

The adjacent 2.5-acre parcel is proposed to annex into EDHCSD for the provision of open space maintenance. This will be contingent upon the Commission's adoption of the EDHCSD sphere of influence amendment and approval of this reorganization. The EDHCSD is the logical district to maintain this area because it is directly south of another open space area within the district that is part of Bridlewood Canyon. Maintenance of these two spaces will utilize economies of scale and eliminate a duplication of efforts.

Fire Protection: The reorganization proposes that CPCSD provide fire protection and emergency services to Bell Woods as well. Station 89 is located at 3200 Country Club Drive is within 2.4 miles of the project site. EDHCWD's Station 86 is at 3670 Bass Lake Road and is within 1.5 miles of Bell Woods. Although EDHCWD's facility is one mile closer and it is very plausible that they would be the first responder to Bell Woods currently, staff has taken into consideration the planned development for the entire BLHSP area. After buildout, it is equally plausible that EDHCWD would have a much higher rate of fire and emergency calls that would necessitate an emergency response to the surrounding area, and therefore, may impact their response time into Bell Woods in the long run. While mutual aid assistance will most likely be utilized for the 34 homes along Salt Wash Way, it may be offset by mutual aid assistance given by CPCSD in other areas. Mutual aid agreements are currently utilized very efficiently between the two districts, which is one reason that the level of fire protection service is so high for the area.

The adjacent open space parcel currently receives fire protection from EDHCWD. This is not part of the reorganization proposal and will remain unchanged.

Police Protection: The El Dorado County Sheriff's Department will provide police protection for the entire proposal area. The El Dorado Hills substation is located at 981 Governor Drive and would be the closest to respond to a call. Lieutenant Mark Adams advised LAFCO staff that there is also another proposed substation for El Dorado Hills off Bass Lake Road, although no construction date has been set yet. A feasibility study for this substation is currently being prepared.

School Impacts: Future residents of Bell Woods will increase the need for adequate school facilities in the area. The school districts that would be impacted are the Buckeye Union School District and the El Dorado Union High School District. The Buckeye Union School District is planning to construct Silver Dove Elementary School within the Bass Lake Hills Specific Plan to accommodate the influx of students from the entire plan at buildout. Development impact fees collected from the construction of each residence will also provide mitigation to the school districts for the additional demand.

- 21. OTHER AGENCY COMMENTS, OBJECTIONS:** All affected and interested agencies are provided application related material and notified of the proposal and proposed property tax redistribution plan. Comments have been requested and shall be considered (Policy 3.1.4 (I), §56668(i)).

For district annexations and city detachments only, the Commission shall also consider any resolution objecting to the action filed by an affected agency (§56668.3(4)). The Commission must give great weight to any resolution objecting to the action which is filed by a city or a district. The Commission's consideration shall be based only on financial or service related concerns expressed in the protest (§56668.3(5b)).

RESPONSE: The following agencies were provided an opportunity to comment on this proposal:

- El Dorado County Representing CSAs 7, 9, 9 Zone 17, 10 and 10 Zone D
- El Dorado County Planning Department
- El Dorado County Surveyor's Office
- El Dorado County Water Agency
- El Dorado County Agricultural Commission
- El Dorado County Committee on School District Organization
- U.S. Bureau of Reclamation
- Los Rios Community College District
- Buckeye Union Elementary School District
- El Dorado Irrigation District
- El Dorado Union High School District
- El Dorado County Resource Conservation District
- El Dorado County Elections Department
- Cameron Park Community Services District
- El Dorado Hills Community Services District
- El Dorado Hills County Water District

Comments were received from El Dorado Hills County Water District, El Dorado Hills Community Services District, Cameron Park Community Services District and the El Dorado County Agricultural Commission. CPCSD is in full support of the reorganization proposal; EDHCSD originally requested that Bell Woods be annexed, in full or in part, into their district, but has since settled with annexing the 2.5 adjacent parcel only; EDHCWD is opposed to the reorganization proposal; the Agricultural Commission commented on a small amount of choice soil in the project site. These comments are attached at the end of this report. The comments from EDHCWD, EDHCSD and CPCSD are discussed in detail in section 4 and throughout the report. Comments from the Agricultural Commission were addressed below in section 27.

(Numbered items 22-26 relate to land use, population and planning)

22. FAIR SHARE OF REGIONAL HOUSING NEEDS: The Commission shall review the extent to which the proposal will assist the receiving entity in achieving its fair share of regional housing needs as determined by Sacramento Area Council of Governments (SACOG) (§56668(l)).

RESPONSE: The reorganization proposal will assist the County in meeting its Regional Housing Needs Assessment in the categories of moderate and higher income. However, the use of land in the proposal area for market rate homes will reduce the total available land for lower income housing categories; the existing development agreement and Specific Plan restrict the County's ability to make changes in this area. The County may be able to meet its regional housing needs allocations elsewhere.

STAFF: (1. Quantify the annexing city's RHNA and the city's success in meeting its RHNA within current jurisdictional boundaries; 2) Determine whether the city will be able to use the annexation area to enhance housing opportunities, ideally, though the possible increase in its RHNA to take full advantage of the annexation area; and 3) Determine whether the county's ability to meet its RHNA will be impaired by losing the annexation area to the city. This probably requires reference to the county's anticipated use of the actual area in furtherance of its RHNA goals).

23. LAND USE, INFORMATION RELATING TO EXISTING LAND USE DESIGNATIONS: The Commission shall consider any information relating to existing land use designations (§56668(m)).

RESPONSE: The zoning and land use designations for the two parcels differ; however, the entire reorganization proposal is consistent with the 2006 County General Plan.

The larger Bell Woods parcel (APN 119-020-07) is within the Bass Lake Hills Specific Plan (BLHSP) Adopted Plan (AP). The current zoning for the parcel is Single Family Residential (R1) and it is part of a planned development. The territory is identified by the County as being part of the El Dorado Hills (EDH) community

region. The proposed use of the land is for 54 single family homes, along with a large open space area in the middle. These uses are consistent with the zoning, the BLHSP and the County General Plan.

The land use designation for the smaller 2.5-acre parcel (APN 115-120-15) is High Density Residential (HDR), with a Recreational Facilities (RF) zoning. The parcel is within the Cameron Park (CP) Community Region. The current and planned use for the parcel is as a permanent open space area. The use will be consistent with the zoning and the County General Plan.

- 24. POPULATION, DENSITY, GROWTH, LIKELIHOOD OF GROWTH IN AND IN ADJACENT AREAS OVER 10 YEARS:** The Commission will consider information related to current population, projected growth and number of registered voters and inhabitants in the proposal area.

RESPONSE: The projected population increase from Bell Woods is approximately 178 persons at buildout. This is based on Quimby calculations of 3.3 persons per household, and a proposed 54 single family homes. The 2.5-acre open space parcel is not expected to increase from a population of 0. Both properties are currently considered uninhabited per State law (defined as fewer than 12 registered voters) and contain no registered voters.

- 25. PROXIMITY TO OTHER POPULATED AREAS:** The Commission shall consider population and the proximity of other populated areas, growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years (Policy 3.1.4 (a)).

RESPONSE: Surrounding land uses are primarily high density residential. The Bell Woods property is bordered on the west by the Hollow Oak subdivision, on the north by the Bridlewood Canyon subdivision, and the Camerado Oaks subdivision is on the east and south sides. Zoning designations directly adjacent to the proposal site are all High Density Residential (HDR), with the exception of the parcel directly southeast of the 2.5-acre open space parcel, which is zoned Open Space (OS). The remainder of the BLHSP lies to the west of the subject area and is planned for high density residential development. The proposed Bell Woods development is in complete conformance with surrounding land uses.

- 26. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING:** The Commission shall consider the general plans of neighboring governmental entities (Policy 3.1.4(g)).

RESPONSE: The proposed project is a part of the BLHSP and is consistent with the future planned land use and zoning of the Specific Plan. Bell Woods is also consistent with the 2006 County General Plan and surrounding land uses. See #23 above for further detail.

- 27. PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURE LANDS AND OPEN SPACE LANDS:** LAFCO decisions will reflect it's legislative responsibility to

maximize the retention of prime agricultural land while facilitating the logical and orderly expansion of urban areas (Policy 3.1.4(e), §56016, 56064).

RESPONSE: This project site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Agricultural Commission commented that there a small amount of choice soils is located within the Bell Woods parcel. This can be seen in the attached Map C. The section is part of a larger band of choice soils that has primarily been developed into high density housing. The portion that is within the Bell Woods properties is not sufficient to support viable agricultural activities. The subject property is not currently under a Williamson Act contract. The development will contain two open space lots that total 10.37 acres, and the adjacent parcel is 2.5 acres of open space.

- 28. OPTIONAL FACTOR: REGIONAL GROWTH GOALS AND POLICIES:** The Commission may, but is not required to, consider regional growth goals on a regional or sub-regional basis (§56668.5).

RESPONSE: Staff contacted both SACOG and the Sierra Planning Organization. Neither agency could provide applicable regional growth goals and policies under this provision for LAFCO consideration.

- Attachment A: Landowner Petition**
- Attachment B: Auditor's Report**
- Attachment C: Plan of Service**
- Attachment D: Mitigation Measures**
- Attachment E: Findings and Recommendations**
- Attachment F: CPCSD Comment Letter**
- Attachment G: EDHCWD Comment Letter**
- Attachment H: July 14, 2006 Meeting Note**
- Attachment I: Cortese-Knox-Hertzberg §56001**
- Attachment J: LAFCO Policies and Guidelines 3.8.1(b)**

- Map A: APN 119-020-07 Parcel Map & Legal Description**
- Map B: APN 115-0120-15 Parcel Map & Legal Description**
- Map C: Choice Soils Map**
- Map D: Aerial Map w/ closest Fire Stations and Parks**

Online Viewing: Hard copy of any attachments available upon request.