

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF APRIL 22, 2020*

### *REGULAR MEETING*

**TO:** Shiva Frentzen, Chair, and  
Members of the El Dorado County Local Agency Formation  
Commission

**FROM:** José C. Henríquez, Executive Officer

**PREPARED BY:** Erica Sanchez, Assistant Executive Officer

**AGENDA ITEM #7:** Snyder Annexation into the El Dorado Irrigation District

**LAFCO Project No.** 2019-05

**PROPONENTS:** Jeff Snyder, Landowner

**AGENT:** Linnea Stanhope, Designated Agent

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### **DESCRIPTION OF PROJECT**

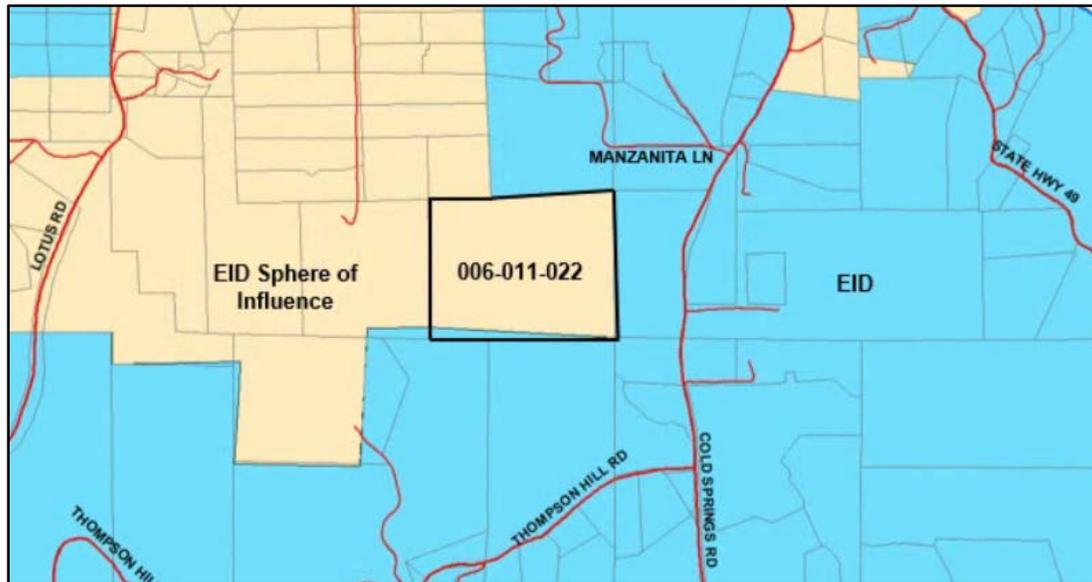
The owner of APN 006-011-022 applied to LAFCO by landowner petition to annex into the El Dorado Irrigation District (EID) in order to receive water service for a future single-family residence (***Attachment A***). The 60-acre parcel is within EID's sphere of influence and is adjacent to the current EID service boundaries.

### **LOCATION**

The parcel is located in the Gold Hill area, on the west side of Cold Springs Road, approximately 1,500 feet north of Thompson Hill Road, accessed off Manzanita Lane (see the map on the following page). A situs address has not yet been assigned to the parcel.

### **PURPOSE**

Annexation into EID will allow the landowner to extend a water line to an existing meter in order to receive water service at the parcel. Annexation is necessary because the parcel is currently outside of the EID service area. The parcel is currently vacant, non-irrigated land used as pasture for approximately 85 goats. The landowner has indicated they intend to construct a single-family residence in the future; they may continue goat grazing on a portion of the parcel or move the goats to a neighboring parcel.



## **RECOMMENDATION**

Following an analysis of the annexation with consideration of the factors listed in Government Code §56668 and LAFCO Policies, staff recommends that the Commission approve the Snyder Annexation into El Dorado Irrigation District; LAFCO Project No. 2019-05, by taking the following actions:

1. Find that the project is exempt from provisions of the California Environmental Quality Act under Categorical Exemption §15183 and direct staff to file the Notice of Exemption in compliance with CEQA and local ordinances implementing the same.
2. Adopt LAFCO Resolution L-2020-07 (**Attachment G**), adding any additional conditions the Commission finds appropriate and approve the Snyder Annexation into the El Dorado Irrigation District.
3. Waive the Conducting Authority Proceedings subject to Government Code §56663 and local policies.
4. Direct the Executive Officer to complete the necessary filings and transmittals as required by law.
5. 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.

## **BACKGROUND**

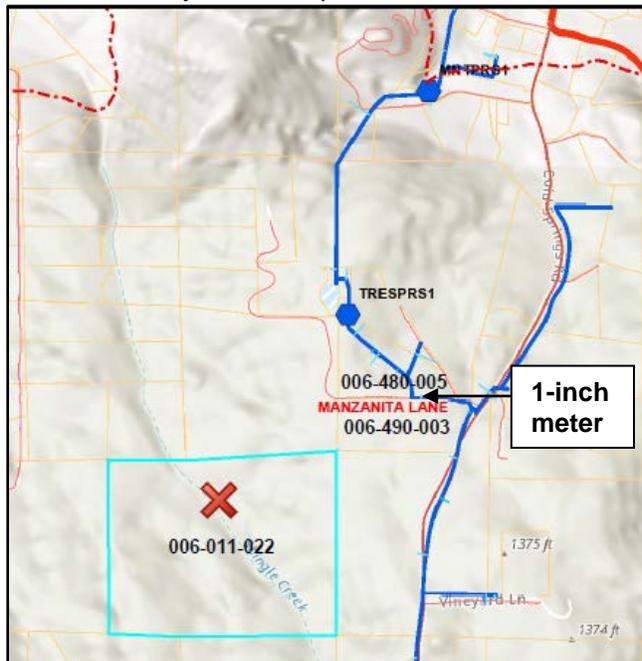
The subject parcel, 006-011-022 (owned by Jeff Snyder), is currently vacant, non-irrigated land used as pasture for approximately 85 goats. The 60-acre parcel is outside the EID service area and does not have a dedicated water source. The landowner is requesting annexation into EID in order to extend water service from the District for a future single-family residence, consistent with the Limited Agricultural (LA-20) zoning. After construction of the residence, the owner may move the goats to an adjacent parcel, or continue the goat grazing on approximately 10 acres of the subject parcel. If the goats

remain on the subject parcel, the landowner may or may not irrigate by either a private well or EID water, depending on the cost.

### Water Meter History

The landowner also owns the parcel diagonally adjacent to the northeast, 006-490-003; and previously owned the parcel to the immediate north of that, 006-480-005. Both of these parcels are within EID. Prior to selling 006-480-005 in June 2018, Mr. Snyder had purchased and installed a 1-inch domestic/agricultural water meter along Manzanita Lane, assigned to 006-480-005. After selling the property, Mr. Snyder had a credit from EID for the meter, which was assigned to 006-480-005, but not used to service the parcel (006-480-005 has service from EID through another on-site water meter).

### EID Water System Map, **Attachment B**



In September 2018, Mr. Snyder and the new owners of 006-480-005 submitted a service transfer request to EID, to transfer water service from the meter located on 006-480-005 to 006-490-003 (also inside the District). Subsequent to this request, Mr. Snyder also entered into a water service agreement with EID, to temporarily assign the meter to 006-490-003 for a period of one year (**Attachment C, page 1**). Per the terms of the agreement, 006-490-003 is a “holding parcel” for the meter until 006-011-022 is annexed into EID. Upon completion of the annexation, water service will be permanently re-assigned to 006-011-022, but the meter will physically remain on 006-480-005 along Manzanita Lane, with the water pipelines

running through 006-490-003.

In September 2019, EID amended the water service agreement to extend the deadline for annexation to May 31, 2020. If the annexation of 006-011-022 is not completed by the agreed upon deadline, the service will be forfeited and the 1-inch meter will be removed from 006-480-005 (**Attachment C, page 2**).

After the annexation is completed but prior to receiving service, an offsite-agreement will need to be executed as part of EID’s variance process. The offsite-agreement will require 1) an offsite water meter to be recorded against 006-011-022 to notify future property owners that the meter is located on 006-480-005, and 2) a recorded easement for the water line through 006-490-003, to connect 006-011-022 to the meter along Manzanita Lane.

## **DISCUSSION OF STATUTORY AND POLICY CONSIDERATIONS**

Government Code §56668 and LAFCO Policies require that the Commission review 28 factors of consideration in the review of a reorganization proposal. Each of the 28 factors is individually summarized in Table 1 (***Attachment F***), and fully addressed in the following sections: I. Services, II. Cost and Revenues, III. Boundaries, IV. Potential Effect on Others and Comments, and V. Land Use Population and Planning.

### **I. SERVICES**

#### Need for Services

Water service for a proposed single-family residence will be extended to the parcel upon annexation. Service will be extended through an off-site water meter which exists on a nearby parcel previously owned by the Applicant. Re-assigning service from parcel 006-480-005 to 006-011-022 allows the landowner to utilize a credit from EID for purchase and installation of the off-site meter.

#### Existing and Necessary Infrastructure to Deliver Service

Typically, a Facility Improvement Letter (FIL) addresses the location and capacity of existing facilities available to serve a project and details the requirements for the landowner prior to receiving water service. However, EID only issues a FIL when an EID line needs to be extended to provide services. In this case, EID did not require a FIL for service to the subject parcel because the water meter is an existing off-site service that was previously assigned to another parcel.

Water service will be provided to the subject parcel through an existing off-site water meter, after the service is re-assigned to the subject parcel (contingent upon annexation).

EID has a 12-inch water line located on Manzanita Road along the northern boundary line of parcel 006-490-003 that feeds the existing meter. The meter has been approved by EID as an offsite meter; the meter will remain in its current location and the owner will be responsible for extending private lines to reach the parcel being annexed. No additional extensions to EID's water lines will be needed, nor will any infrastructure or facility improvements have to be built, improved or expanded to provide this service to the annexing parcel. The landowner will be responsible for installing the connecting water pipe from the existing meter to the subject property.

#### Ability of Annexing District to Provide Service (Timely Availability of Water Supply)

EID has affirmed that it is able to provide water service to the parcel within the time frame anticipated by the landowner. Water service can be extended to the parcel upon annexation and installation of the necessary connecting line.

The estimated number of Equivalent Dwelling Units (EDUs) to serve the parcel is approximately 1 EDU. An EDU is the annual water requirement for a single-family residential dwelling served by a  $\frac{3}{4}$ -inch water meter<sup>1</sup>. Larger water meters require additional EDUs. The existing meter is 1-inch, which would allow for delivery of more gallons per minute (3-50 gpm, compared to 2-30 gpm for a  $\frac{3}{4}$ -inch meter); however, the meter size doesn't necessarily mean that the actual intended usage will be higher

than estimated. EID staff based the 1 EDU estimate on average household usage (see the Service Plan, **Attachment D**).

The subject parcel is within EID's Western/Eastern Supply Area, which receives water supplies by gravity flow from eastern supply sources, Project 184 and Jenkinson Lake. The supply for the Western/Eastern area consists of 15,080 acre-feet (AF) from Project 184 at Forebay and approximately 20,920 AF per year from Jenkinson Lake, totaling approximately 36,000 AF per year.

According to EID's *2019 Water Supply and Demand Report* (August 26, 2019), water meter availability in the Western/Eastern Supply Area is 22,162 EDU's, before accounting for the 569 EDUs of contractual commitments in this area. The report uses "single dry year" supply for calculating available supply.

*<sup>1</sup>The weighted average EDU demand for single-family residential dwellings in the Western/Eastern Supply Area is 0.39. The total potential demand was calculated for each customer class using ten-year average unit demands from 2009-2018 to convert the available water supply to meter availability. The unit demands have steadily decreased in recent years, given the overall trend of declining usage per customer. To convert acre-feet to EDUs, 0.39 acre-feet of use is assumed per EDU.  $AF / 0.39 = EDUs$ .*

#### Service Impacts to Existing District Customers

The service impacts to other EID customers are expected to be insignificant. The off-site water meter is already installed on a nearby parcel, but EID has transferred service to a neighboring property, per the owners' request. Upon annexation, the meter will be assigned to the subject parcel, but remain physically where it is currently located.

After the annexation is completed but prior to receiving service, an offsite water meter will be recorded against 006-011-022 to notify future property owners that the meter is located on 006-480-005, and an easement will be recorded on 006-490-003 for the water line that will run along the property line.

The annexation is consistent with LAFCO and EID policies and is in the best interests of the future residents of the parcel by providing essential services for the proposed single-family residence. The annexation is supported by the landowner and EID. EID does not have any current service deficiencies that indicate annexation of this parcel would result in any negative cost or service impacts to present customers.

#### Alternatives to Service

No other public water purveyor currently serves this area of the County. The landowner has indicated that water service from EID is preferred over drilling a private well due to low well water pressure in the area. If the annexation does not occur within the agreed upon time within the water service agreement, EID will remove the existing off-site meter from 006-480-005 and the Applicant will lose the water meter "credit" with EID.

#### Coordination of Applications

There are no additional public services required for the subject parcel which would require LAFCO action. The parcel is within the El Dorado County Fire Protection District Coloma/Lotus Zone for fire protection and the Gold Trail Recreation Zone of

County Service Area 9 for recreation services. Nearby public roads are maintained by the County of El Dorado, and the private roads are maintained by the landowners.

The subject parcel is on the edge of a much larger area that is outside EID boundaries; however, the landowner is not aware of any neighboring properties that would require annexation into EID at this time. Neighboring landowners can submit a landowner petition for annexation into EID at any time in the future, dependent upon when services from the District may become necessary or desired.

## II. COST AND REVENUES

### Cost to Provide Service

It will be the landowner's responsibility for covering the cost of installing the necessary pipeline to connect to the existing water meter to deliver service to the parcel.

The annexation is expected to provide revenue that will offset the short- and long-term costs to the District. Property tax revenue and usage fees will support the cost of services. The Applicant paid the facility connection charges when he purchased the meter from EID, but he will still be responsible for any applicable EID annexation fees.

### Assessed Value / Property Tax Exchange Agreements

The subject parcel is currently assessed as unimproved, vacant land. The assessed value is currently \$238,656. The overall assessed value of the parcel is expected to increase after the parcel is developed.

In October 2019, EID and the County negotiated a property tax increment for the proposed annexation area of 2.6667% for EID. The County and EID both adopted property tax redistribution resolutions approving this increment for the annexation; the County's resolution is included as **Attachment E**.

### Sufficiency of Revenues

The total assessed value of the subject area is expected to increase as an indirect result of the annexation, after the property is developed. Annexation of the subject area is expected to provide sufficient revenue to EID to cover the short- and long-term costs of providing services to the parcel. EID will collect revenue through property taxes based upon the property tax agreement, usage fees, and District annexation fees. Collected revenue will offset the cost of providing water service to the parcel, but is not expected to exceed those costs.

## III. BOUNDARIES

### Proximity to District Boundaries / Sphere of Influence

Government Code §56375.5 requires LAFCO actions regarding changes of district boundaries be consistent with the affected district's sphere of influence. The subject parcel is within the EID sphere of influence and is adjacent to the current EID service area on two and a half sides.

### Creation of Irregular Boundaries

Annexing the subject parcel into EID will not create an irregular service boundary for the District. The proposed annexation map has been reviewed by the El Dorado County Surveyor's Office and the boundaries of the proposed annexation conform to the existing lines of assessment and ownership of the subject parcel.

### Topographical Information

The subject area sits at an approximate elevation of 1,040-1,200 feet. The area consists of gently rolling topography with non-native grassland, native oaks and grey pines. Shingle Creek, a three-mile long tributary of South Fork American River, runs diagonally through the parcel; however, no topographical features that will hinder service to this area.

### Fire Hazard Mitigation Plan

Effective January 1, 2019, LAFCOs are required to consider information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone, if it is determined that such information is relevant to the area that is the subject of the proposal.

El Dorado County's Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP) serves as the implementation program for the coordination of hazard planning and disaster response efforts within the County. The LHMP can be found within the Health and Safety Element of the General Plan. The LHMP contains a Fire Hazard Severity Zone Map, which identifies moderate, high, and very high fire hazard zones. The majority of the subject parcel is designated as a moderate fire hazard zone (approximately 85-90%); a small portion of the parcel is designated as a high fire hazard zone (approximately 10-15%). Similarly, the majority of the land surrounding the subject parcel is designated as a moderate fire hazard zone; however, some of the surrounding land is designated as a high fire hazard zone. The LHMP requires the consultation of the Fire Hazard Severity Zone Map in the review of all discretionary projects so that standards and mitigation measures appropriate to each hazard classification can be applied. The potential future residential development of the subject parcel will be ministerial (requiring a building permit, consistent with the zoning), approval will not be subject to the LHMP requirements.

Annexation into EID will allow for an additional water source to the subject parcel, which will enhance the level of fire protection available. The El Dorado County Fire Protection District (EDCFPD) was given an opportunity to comment on this annexation; however, no comments were submitted by the fire district. When the landowner applies for a building permit for the single-family residence, EDCFPD will be provided another opportunity to provide related comments.

## **IV. POTENTIAL EFFECT ON OTHERS AND COMMENTS**

### Effect on Adjacent Areas

The proposed annexation will have a minimal effect on adjacent areas. The subject parcel is located in a rural region.

### Effect on Other Community Services

There are no negative impacts expected for other public service providers to the annexation area. Other public service providers to the affected territory include: El Dorado County Fire Protection District (fire protection and emergency medical services), County Service Area 9, Gold Trail Recreation Zone (park and recreation services), Gold Trail Union School District and El Dorado Union High School District (schools), and the El Dorado County Sheriff's Department (law enforcement).

### Comments and/or Objections from Other Agencies and the Landowner(s)

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

- El Dorado County Assessor's Office
- El Dorado County Auditor's Office
- El Dorado County Chief Administrative Office
- El Dorado County Department of Agriculture
- El Dorado County Elections Department
- El Dorado County Emergency Services Authority
- El Dorado County Farm Bureau
- El Dorado County Office of Education
- El Dorado County Planning Department
- El Dorado County Representing County Service Areas 7, 9, 9 Zone 19, 10, and 10 Zone H
- El Dorado County Resource Conservation District
- El Dorado County Sheriff's Department
- El Dorado County Surveyor's Office
- El Dorado County Water Agency
- El Dorado County Fire Protection District
- El Dorado Union High School District
- Gold Trail Union School District
- Los Rios Community College District
- U.S. Bureau of Reclamation

As part of the standard notification process, LAFCO sent a project notification requesting comment to all affected agencies in June 2019, and a project hearing notification in February 2020. As of the date of this report, LAFCO has not received any comments from the above affected agencies in response to the proposed annexation.

The annexation petition was initiated by the sole landowner, who is in full support of the change of organization.

### Public Notice

A notice of public hearing was published in the Mountain Democrat 21 days in advance of this hearing (April 1, 2020). As of the date of this report, LAFCO has not received any comments from the public in response to the proposed annexation.

**V. LAND USE, POPULATION AND PLANNING**

Zoning and Land Use Designations, Consistency with General / Specific Plans

The subject parcel is designated Agricultural Land (AL) per the El Dorado County General Plan and zoned Limited Agricultural, 20-Acre Minimum (LA-20). The current agricultural use (goat grazing) is consistent with the zoning and land use, as is the potential future development of a single-family residence and continued grazing of goats on approximately 10 acres.

Surrounding Land Uses

Surrounding Area	Land Use Designation	Zoning	Current Land Use	Planned Land Use
Project Site: 006-011-022	AL	LA-20	Undeveloped, pasture grazing for goats	Single-family residence, possible continued goat grazing
North:	AL & AR	RL-10 & RL-20	Single-family residences	No change
West:	AL	RL-20	Single-family residence	No change
East:	AL	LA-20	Single-family residence	No change
South:	AL	AG-40	Single-family residences	No change

Impact to Agriculture / Open Space

The annexation will not have an adverse effect on agriculture or open space lands. The AL designation and LA-20 zoning is based on existing use, soil type, water availability, topography, and similar factors. The parcel is located in a designated Rural Region and is within the Gold Hill Agricultural District overlay. Surrounding land uses are similar, mostly larger parcels (20-40 acres) of Agricultural Lands, with 10-acre Rural Residential parcels to the northwest. These Rural Residential parcels are also within a designated Biological Corridor.

According to the California Department of Conservation Farmland Mapping and Monitoring Program, the annexation site includes a combination of Farmland of Local Importance, Other Land, and Grazing Land. The annexation site does not include Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

The proposed annexation would not involve changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use. The El Dorado County Resource Conservation District and El Dorado County Agricultural Department reviewed the project and did not identify any impacts to agriculture.

Population and Growth in the Area

There are currently no registered voters residing in the proposal area, therefore the subject territory is considered uninhabited per Government Code §56046, which states, *“Inhabited territory” means territory within which there reside 12 or more registered voters...All other territory shall be deemed “uninhabited”.*

Future known development plans for the subject parcel include construction of one single-family residence, which could potentially increase the population in the area by a limited amount, and possible limited agricultural uses (goat grazing on approximately

10 acres). The landowner claims to have no intention of splitting the 60-acre parcel, partially due to the terrain; however, under the current LA-20 zoning, the parcel could potentially be split into three 20-acre parcels, each developed with a maximum of one single-family residence and one secondary residence.

Regional Housing Needs Considerations

The annexation proposal does not include any type of new housing or other development, but the annexation will support the eventual construction of one single-family residence. The annexation will neither assist nor detract from the County’s ability to achieve its RHNA (Regional Housing Needs Allocation) targets; any future development will likely add one single-family residence to the moderate-income housing category.

In September 2012, the Sacramento Area Council of Governments (SACOG) Board of Directors adopted their 2013-2021 Regional Housing Needs Plan (RHNP), a state requirement which allocates to SACOG cities and counties their "fair share" of the region's projected housing needs. Each city and county in the RHNP receive a RHNA of total number of housing units that it must plan for within a 7.5-year time period through their General Plan Housing Elements. Allocations are distributed within four economic income categories; very low, low, moderate and above moderate. Allocation goals for the unincorporated portion of El Dorado County, are as follows:

	<b>SACOG 2013-2021 Total RHNA Allocation</b>				
<b>Total Units</b>	<b>Extremely Low</b> <50% of MFI	<b>Very Low</b> <50% of MFI	<b>Low</b> 50-80% of MFI	<b>Moderate</b> 80-120% of MFI	<b>Above Moderate</b> 120+% of MFI
3,948 (100%)	477 (12.1%)	477 (12.1%)	669 (16.9%)	734 (18.6%)	1,591 (40.3%)

MFI = Median Family Income

**CEQA**

El Dorado LAFCO is the Lead Agency for the annexation. The Executive Officer reviewed the project for conformance under the California Environmental Quality Act (CEQA) and determined that the dissolution was categorically exempt from the provisions of CEQA under Section 15183 of the Public Resources Act.

Section 15183 of the State CEQA Guidelines applies to projects that are “consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified ..., except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” (State CEQA Guidelines, §15183.)

CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces

the need to prepare repetitive environmental studies.

The parcel is currently undeveloped agricultural land, but the owner plans to construct a single-family residence in the future. Both uses are in accordance with the Limited Agricultural, Twenty-Acre Minimum (LA-20) zoning designation. There are no project-specific significant effects which are peculiar to the project or the site.

## **DETERMINATIONS**

After reviewing the factors discussed above and summarized in Table 1 (***Attachment F***), the Commission should 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 annexation is made subject to Government Code §56650 et. seq. by landowner petition.
2. The territory proposed for annexation is within the sphere of influence of the El Dorado Irrigation District and is contiguous to the existing boundary. The annexation will provide a more logical and orderly boundary.
3. The project is exempt from the provisions of the California Environmental Quality Act under Section 15183 of the Public Resources Act.
4. The annexation will not result in negative impacts to the cost and adequacy of service 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. The annexation will result in a minimal decrease in water supply available for the buildout of regional housing needs determined by the Sacramento Area Council of Governments. The annexation will not, however, have a significant foreseeable effect on the ability of the County to adequately accommodate its fair share of those needs.

## **ATTACHMENTS**

- Attachment A: Landowner Petition & Project Information
- Attachment B: EID Water System Map
- Attachment C: EID Water Service Agreement & Amendment
- Attachment D: Service Plan
- Attachment E: BOS AB-8 Resolution 152-2019
- Attachment F: Table 1: Summary of Statutory and Local Policy Factors to be Considered
- Attachment G: LAFCO Draft Resolution L-2020-07 and Exhibit A Map & Legal Description