
**SAN JOAQUIN
LOCAL AGENCY FORMATION COMMISSION**

LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

**Local Agency Formation Commission Meeting Agenda
Thursday, October 8, 2020 9:00 A.M.**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the San Joaquin Local Agency Formation Commission's office will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the San Joaquin Local Agency Formation Commission has arranged for Commission Members and members of the public to observe and address the meeting virtually .

TO ATTEND:

Join Zoom Meeting

<https://imaginereporting.zoom.us/j/96428206471?pwd=MXRTcGQrQTY0VXNPbmFIS2QzcllHUT09>

Meeting ID:

964 2820 6471

Passcode:

750290

Dial by phone

+1 669 900 6833

Note: If you don't have access to a smart device or a computer with a webcam & a mic, you can dial in using the teleconference number and meeting ID above.

Attention Callers: Please mute the call unless speaking.

*****To be recognized to speak, please use the "raise hand" or chat feature in Zoom. *****

We have also provided a call-in number, as identified on this Agenda, and encourage you to attend by telephone. *To be recognized to speak, press *9 to signal the moderator.*****

Download Agenda Packet and Materials at: www.sjgov.org/commission/lafco

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Call to Order

Announce Date and Time of Meeting for the Record

Roll Call

Pledge of Allegiance

CONSENT ITEMS

1. MEETING MINUTES OF AUGUST 13, 2020
(Action by All Members)
Approve Summary Minutes of the regular meeting.

2. OUT-OF-AGENCY SERVICE REQUEST
(Action by All Members)
Request from the City of Stockton to provide out-of-agency sewer service outside the City boundary under Government Code §56133 to 7507 Andrea Avenue in Stockton.

ACTION ITEMS

3. REQUEST FOR TIME EXTENSION FOR GUDEL ANNEXATION TO CSA 29
(LAFD 25-18)
(Action by Regular Members)
Request for One-Year Time Extension to complete condition of approval for Gudel Annexation to CSA 29, Forest Lake Ranchettes.

PUBLIC HEARING

4. PEREIRA REORGANIZATION TO THE CITY OF RIPON (LAFD 11-20)
(Action by Regular Members)
Request to annex approximately 17.19 acres to the City of Ripon with concurrent detachment from the San Joaquin County Resource Conservation District.

PUBLIC COMMENTS

5. Persons wishing to address the Commission on matters not otherwise on the agenda

EXECUTIVE OFFICER COMMENTS

6. Comments from the Executive Officer

COMMISSIONER COMMENTS

7. Comments, Reports, or Questions from the LAFCO Commissioners

ADJOURNMENT

LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

**SUMMARY MINUTES
August 13, 2020**

TELECONFERENCE

Chairman Andrade called the meeting to order at 9:01 a.m.

MEMBERS PRESENT:	Commissioners Patti, Johnson, Villapudua and Chairman Andrade
MEMBERS ABSENT:	Commissioner Krumeich
ALTERNATE MEMBERS PRESENT:	Commissioners Bretenbucher, Morowit and Winn
ALTERNATE MEMBERS ABSENT:	None
OTHERS PRESENT:	James E. Glaser, Executive Officer; Rod Attebery, Legal Counsel; Elizabeth Contreras, Analyst and Mitzi Stites, Commission Clerk

CONSENT ITEMS

A motion was made by Commissioner Bretenbucher and seconded by Commissioner Johnson to approve the Consent Calendar.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Morowit, Patti, Villapudua, Winn and
Chairman Andrade

Nos: None

Absent: Commissioner Krumeich

A motion was made by Commissioner Bretenbucher and seconded by Commissioner Johnson to approve the out-of-agency service requests to properties located at 1908 E. Twelfth Street, 7317 S. Newcastle Road, 7485 S. Newcastle Road, and 10500 Harlan Road in Stockton.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Patti, Villapudua and Chairman Andrade
Nos: None

Absent: Commissioner Krumeich

PUBLIC HEARING

3. FINAL MUNICIPAL SERVICE REVIEW (MSR) AND SPHERE OF INFLUENCE (SOI) FOR THE CITY OF STOCKTON (LAFC 10-20)

James Glaser, Executive Officer, provided a PowerPoint presentation, which gave an overview of the process to update the MSR and the SOI. He stated that LAFCo is required to prepare an MSR for each of its incorporated cities and special districts and update the SOI's at least every five years. LAFCo requires that the SOI delineate where development is expected to occur within 5-10 year and 30-year time frames and that future annexations must be consistent with the SOI.

The Sphere of Influence and Municipal Service Review for the City of Stockton was last updated in February 2019 and was approved by the Commission for a 10-year planning period. This MSR/SOI was intended to represent an "interim" plan consistent with the City's 2035 General Plan adopted in 2007. These documents were needed as the City had several pending annexation applications. The City has now completed the process of updating its General Plan (Envision Stockton 2040 General Plan Update). As a result, a new MSR/SOI is needed to reflect the newly adopted General Plan.

The City's new General Plan, entitled Envision Stockton 2040 General Plan Update, included a comprehensive evaluation of the City's planning boundaries, including the SOI. The Plan's key objectives was to support the community's vision and to support the City's Climate Action Plan.

Staff recommends that the Commission approve the Final Municipal Service Review and Sphere of Influence Update for the City of Stockton.

Chairman Andrade opened the Public Hearing

Chairman Andrade opened the Commissioner Comments

No Comments were made.

Chairman Andrade opened the floor to Public Comments.

Mike McDowell, Deputy Director Planning and Engineering, City of Stockton, stated that he is pleased to be at the juncture where the MSR – SOI and the General Plan are together. This plan is special as it includes a mixed-use policy for the downtown area. This MSR also reduces development and keeps agriculture land. Mr. McDowell also thanked Mr. Glaser and the LAFCo staff for assisting the City in bringing this report to the Commission.

Tonya Sundberg, WorkPlace, also wanted to mention that this MSR reduces the development on

the outskirts of the city and leaves open land between Stockton and other cities. The outline of the ten-year update to the General Plan will include annexation of some County pockets. The City of Stockton does have financial means for public services.

Chairman Andrade closed the Public Hearing.

Chairman Andrade opened the floor to Commissioner Comments.

Commissioner Patti inquired how many County pockets are outside of the City of Stockton but included in their Sphere of Influence.

Mr. Glaser, Executive Officer, stated that there are 16 unincorporated pockets within the City of Stockton's Sphere of Influence. The Interim Sphere of Influence did not include any but six are included in this final report.

Commissioner Patti inquired if the City of Stockton will continue to work on the remaining pockets to include them into the City.

Mr. Glaser, Executive Officer, stated that yes, the City of Stockton will continue to work on the remaining County pockets.

A motion was made by Commissioner Patti and seconded by Commissioner Villapudua to approve Resolution No. 1431 approving the Municipal Service Review for the City of Stockton and Resolution No. 1432 approving the Sphere of Influence for the City of Stockton.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Patti, Villapudua and Chairman Andrade

Nos: None

Absent: Commissioner Krumeich

4. SANCHEZ REORGANIZATION TO THE CITY OF STOCKTON (LAFD 13-20)
(Action by Regular Members)
Request to annex approximately 149.01 acres to the City of Stockton with concurrent detachment from the San Joaquin County Resource Conservation District, Central San Joaquin Water Conservation District and Colledgeville Rural Fire Protection District.

Mr. James Glaser, Executive Officer, presented a PowerPoint presentation. The City of Stockton submitted a proposal to annex of 149.01 acres and the adjacent portions of Arch Road and Austin Road to the City.

The City Council approved a pre-zoning of the project site to Industrial, Limited (IL) which would allow the development of industrial buildings that would accommodate mainly "high cube" warehouses. This development will include four industrial buildings with a total building area of 2,796,948 square feet, parking areas with 2,726 parking stalls and 154 trailer-parking stalls. Seven acres would be used for a detention basin to collect storm water.

The proposed annexation site is within the City's Sphere of Influence and 10-year planning horizon and is adjacent to the City boundary. The Envision Stockton 2040 General Plan

designates the annexation area as Industrial. The site is located in a developing industrial area and is a logical extension of existing ongoing industrial development along the Arch Road corridor.

It is recommended that the Commission approve Resolution No. 1433 approving annexation of 149.01 acres to the City of Stockton with concurrent detachments from the San Joaquin County Resource Conservation District, Central San Joaquin Water Conservation District and the Colledgeville Rural Fire Protection District.

Chairman Andrade opened the Public Hearing.

Chairman Andrade opened the floor to Commissioner Comments.

The Commission had no comments.

Chairman Andrade opened the floor to Public Comments.

Matt Diaz, Advanced Planning Manager, City of Stockton, thanked the LAFCo staff to bring this project before the Commission. The Sanchez Reorganization will bring between 1,500 and 3,000 jobs to the area and fits in with the current industrial center. This project will benefit the City of Stockton by bringing in new residents, housing and restaurants.

Mike Hakeem, Attorney, Hakeem, Ellis and Marengo, thanked the LAFCo staff in getting this project on the agenda for this meeting. He also stated that Charlie Simpson with BaseCamp was with him and they would be happy to answer any questions that the Commission may have.

Chairman Andrade closed Public Comments.

Chairman Andrade also thanked the LAFCo staff for their work on this project. The City of Stockton has been working on this for a while.

A motion was made by Commissioner Villapudua and seconded by Commissioner Breitenbucher to approve Resolution No. 1433, approving the Sanchez Reorganization to the City of Stockton.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Patti, Villapudua and Chairman Andrade

Nos: None

Absent: Commissioner Krumeich

5. HOGGAN REORGANIZATION TO THE CITY OF STOCKTON (LAFC 14-20)
(Action by Regular Members)

Request to annex approximately 20.76 acres to the City of Stockton with concurrent detachment from the San Joaquin County Resource Conservation District and Montezuma Rural Fire Protection District.

Mr. James Glaser, Executive Officer, presented a PowerPoint presentation. The City of Stockton submitted a proposal to annex of 20.76 acres to the City.

The City Council approved a pre-zoning of the project site to Industrial, Limited (IL) for approximately 290,000 sq feet of high cube warehousing and other light industrial uses.

The proposed annexation site is within the City's Sphere of Influence and with the approval of the City's Municipal Service Review (MSR) and Sphere of Influence Update the site will be in the 10-year planning horizon and can be considered for annexation. The Envision Stockton 2040 General Plan designates the annexation area as Industrial. The site is located in a developing industrial area and is a logical extension of existing ongoing industrial development in the area.

The parcel consists of a 20 ft. by 700 ft. stem that makes an illogical city boundary and difficult for services. The applicant has committed to remove the stem via a boundary line adjustment. Access to the parcel will then be provided by a dedicated street access from Frontier Street or Newcastle Road that is already in the City limits.

This project will detach from the Montezuma Fire District, giving responsibility for fire service to the City. The nearest City fire station is located four miles north of the site with a 10-12 minute response time. A service agreement has been negotiated with the Montezuma Fire District to provide fire service for an annual fee and an initial fee. This agreement will be in effect until the City can provide an efficient response time to the site.

Chairman Andrade opened the Public Hearing.

Chairman Andrade opened the floor to Commissioner Comments.

Chairman Andrade inquired about the survey in the staff report regarding 75% of the residents opposed annexation and wanted to know if there were any reasons given.

Mr. Glaser, Executive Officer, stated that although there were no reasons listed, he believed the survey did not show all the benefits of being in the City.

Chairman Andrade opened the floor to Public Comments.

Mike Hakeem, Attorney, Hakeem, Ellis and Marengo, stated that he and Charlie Simpson with BaseCamp would be happy to answer any questions that the Commission may have.

Chairman Andrade closed the Public Hearing.

A motion was made by Commissioner Johnson and seconded by Commissioner Villapudua to approve Resolution No. 1434, approving the Hoggan Reorganization to the City of Stockton.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Patti, Villapudua and Chairman Andrade

Nos: None

Absent: Commissioner Krumeich

ACTION ITEMS

6. RESULTS OF PROTEST HEARING FOR BYRON - BETHANY IRRIGATION DISTRICT AND THE WEST SIDE IRRIGATION DISTRICT CONSOLIDATION

(Action by Regular Members)

Report from the Executive Officer on the results from the protest hearing held on August 4, 2020.

James Glaser, Executive Officer reported that no written protests were received by the close of the Protest Proceedings. It is recommended that the Commission order the consolidation of Byron-Bethany Irrigation District and The West Side Irrigation District.

Chairman Andrade opened the Public Hearing.

Chairman Andrade opened the floor to Commissioner Comments.

No Comments were made.

Chairman Andrade opened the floor to Public Comments.

Rick Gilmore, General Manager, Byron Bethany Irrigation District, thanked the LAFCo staff in assisting with Bryon-Bethany and The West Side Irrigation District on this project.

Chairman Andrade closed the Public Hearing.

A motion was made by Commissioner Johnson and seconded by Commissioner Patti to approve Resolution No. 1435, ordering the consolidation of Byron – Bethany Irrigation District and The West Side Irrigation District.

Roll Call Vote:

Ayes: Commissioners Breitenbucher, Johnson, Patti, Villapudua and Chairman Andrade

Nos: None

Absent: Commissioner Krumeich

PUBLIC COMMENTS

7. Persons wishing to address the Commission on matters not otherwise on the agenda

No one came forward.

EXECUTIVE OFFICER COMMENTS

8. Comments from the Executive Officer

James Glaser, Executive Officer, informed the Commission that there will not be a September meeting. Staff is reviewing several applications including the Pereira Reorganization to the City of

Ripon; the City of Stockton has two projects and the consolidation of Stockton East Water District and Central San Joaquin Water Conservation District and the Avenues have resubmitted their proposals. The Tracy Village election will be at the end of the month and will be conducted by a mail in ballot. Mr. Glaser thanked Elizabeth Contreras and Mitzi Stites for their work in getting out this month's projects. He also wanted to thank the County departments. Everyone needed to work together to get these projects on the agenda and before the Commission. There were a lot of issues that needed to be resolved and worked out.

Chairman Andrade also thanked LAFCo Staff for their hard work on these projects.

COMMISSIONER COMMENTS

9. Comments, Reports, or Questions from the LAFCO Commissioners

Commissioner Johnson stated that he misses seeing everyone and conducting these meetings in person.

Chairman Andrade inquired when Mr. Glaser thought we could resume in person meetings.

Mr. Glaser, Executive Officer, stated that it would be at least through the end of the year.

The meeting adjourned at 10:21 a.m.

LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

EXECUTIVE OFFICER'S REPORT

October 8, 2020

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **CITY OF STOCKTON OUT-OF-AGENCY SERVICE REQUESTS**

Recommendation

It is recommended that the Commission approve the request from the City of Stockton to provide out-of-agency sewer service under the Government Code §56133 to property located at 7507 Andrea Avenue, Stockton.

Background

Government Code Section §56133 states that the Commission may authorize a city or special district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization and that prior to providing new or extended service, the city or district must first receive approval from LAFCo. The Commission adopted a policy that conditions their approval for out-of-agency service requiring the recordation of an agreement with the landowner consenting to annexation of their property when annexation becomes feasible.

The City of Stockton submitted a request for approval to extend sanitary sewer service to a single family residence outside the city limits but within the City's sphere of influence. A vicinity map is attached showing the location of the out-of-agency request. Connection to City sewer lines are available to the property and the property owner has paid the appropriate connection fees to the City. The request for out-of-agency service is in compliance with the Government Code §56133 and Commission policies. Staff recommends approval of the attached Resolution 1436 approving out-of-agency services.

Attachment: Resolution No. 1436
Vicinity Map

Resolution No. 1436

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
APPROVING AN OUT-OF-AGENCY SANITARY SEWER SERVICE FROM THE
CITY OF STOCKTON TO 7507 ANDREA AVENUE, STOCKTON.**

WHEREAS, the above-reference request have been filed with the Executive Officer of the San Joaquin Local Agency Formation Commission pursuant to §56133 of the California Government Code.

NOW THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Said out-of-agency service request is hereby approved.

Section 2. The proposal is found to be Categorically Exempt from CEQA.

Section 3. The proposal is subject to the following conditions:

- a. Prior to connection to the city sewer or water, the City of Stockton shall record a covenant and agreement with the property owners to annex to the City of Stockton in a form acceptable to the Executive Officer.
- b. This approval and conditions apply to current and future property owners.

PASSED AND ADOPTED this 10th day of October, by the following roll call votes:

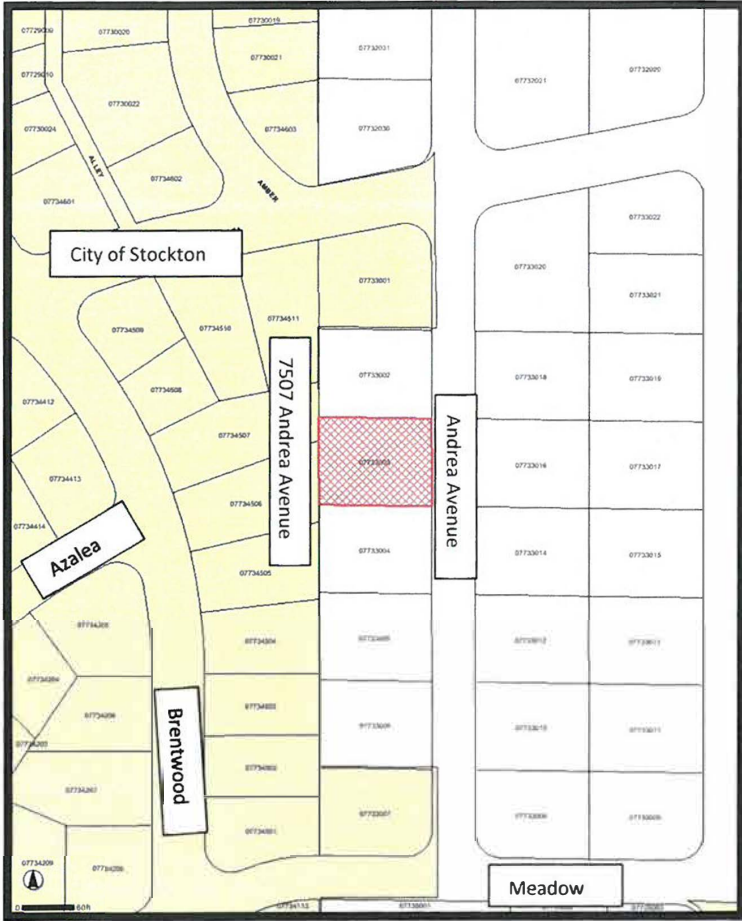
AYES:

NOES:

ABSENT:

Jesus Andrade, Chairman
San Joaquin Local Agency
Formation Commission

Res. No. 1436
10-8-20



LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

EXECUTIVE OFFICER'S REPORT

October 8, 2020

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: Request for Time Extension for Gudel Annexation to CSA 29-Forest Lake Ranchettes (LAFCo 25-18)

Recommendation

It is recommended that a one-year extension be granted for the completion of the Condition of Approval for the project.

Background

At the September 13, 2018 meeting, the Commission approved the annexation of the Gudel properties to CSA 29 for the purpose of obtaining water, storm drainage and street lighting services from the CSA for the development of two major subdivisions. The annexation area consists of three parcels located on the southeast corner of Liberty Road and Lower Sacramento Road north of Lodi (Exhibit A-Vicinity Map).

The Gudel annexation project was approved by the County Planning Department with a condition that the developer install and finance storm drainage, water, and street lighting infrastructure and to annex the properties into CSA 29 for maintenance and operation of the facilities and to collect assessments for the services. To levy assessments, property owners must first give their approval through a Proposition 218 process. Since the Proposition 218 procedure had not been initiated at the time of annexation request, the Commission approved the Gudel annexation with a condition that the Certificate of Completion be withheld until the Proposition 218 process has been completed. Pursuant to LAFCo law if a Certification of Completion has not been filed after one year, the project is deemed terminated. On August 8, 2019 the Commission granted the County Public Works a one-year extension to complete the Proposition 218 process with an expiration date of September 13, 2020.

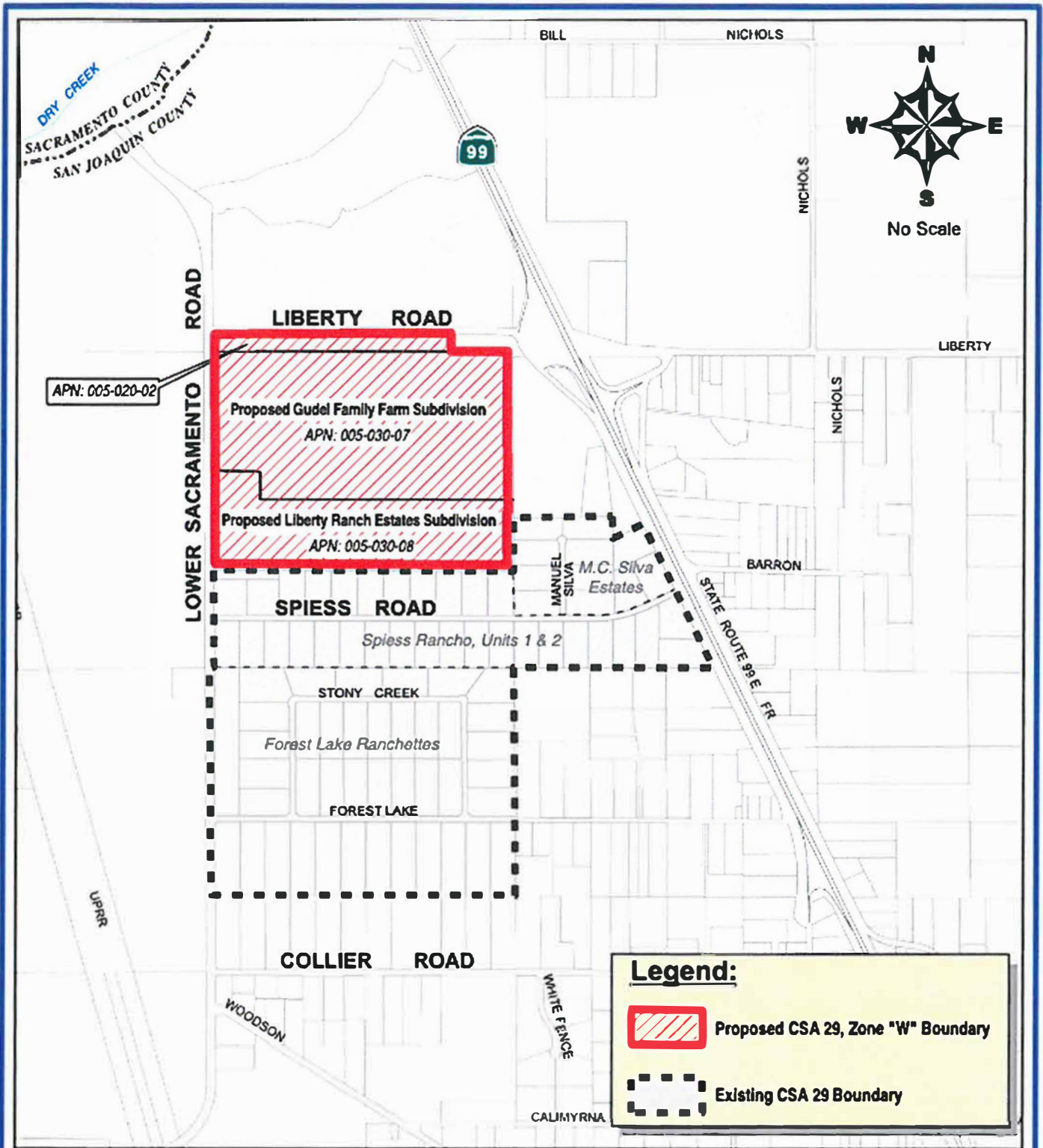
The County Public Works Department has submitted a request for an additional one-year extension to complete the Gudel Proposition 218 process citing staffing constraints and workload demand due to the pandemic. (Exhibit B-Request for Extension) Although work has been done towards completion, additional time is needed. A one-year extension would expire September 13, 2021.

A Motion is attached for Commission consideration.

Attachments: Motion
Exhibit A-Vicinity Map
Exhibit B-Request for Extension dated September 23, 2020

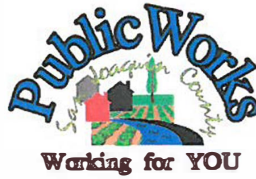
MOTION

Moved by Commissioner _____, seconded by Commissioner _____
to approve a one-year extension to September 13, 2021 to the Gudel Annexation to CSA 29-Forest
Lake Ranchettes to complete the Condition of Approval.



– VICINITY MAP –
COUNTY SERVICE AREA NO. 29 (CSA 29), ZONE "W"
SAN JOAQUIN COUNTY

Date: May 04, 2020



September 23, 2020

San Joaquin County Local Agency Formation Commission
509 West Weber Avenue
Suite 420
Stockton, California 95203
Attention: Jim Glaser

SUBJECT: REQUEST FOR EXTENSION OF TIME FOR COMPLETING CONDITIONALLY APPROVED GUDL ANNEXATION TO COUNTY SERVICE AREA 29-FOREST LAKE RANCHETTES (LAFC 25-18) PER RESOLUTION NO. 1389

Dear Mr. Glaser,

The San Joaquin County Department of Public Works (Department) representing the property owners of the subject annexation as the applicant is requesting a second one-year time extension to complete the conditions of approval as set forth in Section 4 of Resolution No. 1389 attached.

The Department understands that per Government Code Section 57001 it is required that all conditions of approval of annexations are satisfied within one year of conditional annexation approval in order to record the Certificate of Completion.

With the deadline past due and although the process has begun, the Department is requesting additional time due to staffing constraints and workload demands during these unprecedented times.

The Department greatly appreciates the approval of a second one-year time extension by the Commission in order for the Department to work towards the recordation of the Certificate of Completion of this annexation.

Should you have any questions regarding this matter, please contact me at 209-468-3024, or by email at dsabiniano@sjgov.org.

Sincerely,

DWAYNE B. SABINIANO
Community Infrastructure Engineering Assistant

Enclosure

LAFCo

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

EXECUTIVE OFFICER’S REPORT

- PROJECT:** PEREIRA REORGANIZATION TO THE CITY OF RIPON (LAFCo 11-20)
- PROPOSAL:** Annexation of 17.19 acres consisting of two parcels and portions of two adjacent properties to the City of Ripon. The reorganization includes detachment the San Joaquin County Resource Conservation District.
- APPLICANT:** City of Ripon
- LOCATION:** Northeast corner of North Ripon Road and East Boesch Drive and John Roos Avenue, Ripon (Exhibit A: Vicinity Map)
- PURPOSE:** Development of 47 single-family residential units.
- PROCESS:** Proposed annexation area is uninhabited and has 100% owner-consent.

RECOMMENDATION

It is recommended that the Commission approve Resolution No. 1437 approving annexation of 17.19 acres to the City of Ripon with concurrent detachment from the San Joaquin County Resource Conservation District.

BACKGROUND

A Resolution of Application was approved by the Ripon City Council on March 10, 2020 authorizing an application submittal to LAFCo to annex 17.19 acres to the City for development of approximately 47 single family residential units. The same Resolution adopted a Mitigated Negative Declaration for the project and pre-zoned the area as RIU (Single Family Residential Urban) which includes a mixture of Single-family Residential (R1), Single-family Residential-Large (R1-L), Single-family Residential-Custom (R1-C), and Limited Multiple Family (R3). The multiple zoning allows for a variety of lot sizes and is consistent with the City of Ripon’s existing General Plan. (Exhibit B: City Resolution and Justification of Proposal)

The proposed annexation area consists of two parcels and portions of two adjacent parcels. The territory to be annexed from the two adjacent parcels consist of the full roadway width of John Roos Avenue and Shasta Avenue. The annexation site is adjacent to the City limits and within the City’s 10-year sphere of influence boundary. The Commission adopted the City’s Municipal Service Review and Sphere of Influence Plan in May 2018.

ENVIRONMENTAL

The City of Ripon prepared an Initial Study and determined that a Mitigated Negative Declaration is appropriate for the project. The Initial Study showed that although the project could have a significant effect on the environment, there will not be a significant effect because revisions in the project have been made by or agreed to by the project proponent. LAFCo, as a Responsible Agency must consider the City’s environmental report and make findings upon approval of the project. (Exhibit C: Notice of Determination. A copy of the City’s IS/MND is posted on LAFCo’s website.)

PROPERTY TAX EXCHANGE

Pursuant to the Revenue and Taxation Code, the City and County must have an agreement in place that determines the exchange of property tax revenues from a jurisdictional change. A Master Tax Sharing Agreement was approved by the County and the City which provides a sharing ratio of taxes of 63.4% Ripon and 36.6% County.

REVIEW FACTORS

The Cortese-Knox-Hertzberg Local Government Reorganization Act requires fifteen factors to be considered by a LAFCo when evaluating a proposal for a change in organization or reorganization to a city. Factors to be considered shall include, but are not limited to the following (Government Code Sections 56668):

(a) Population and population density and likelihood of significant growth during the next 10 years

The majority of land in the proposed annexation area is currently vacant and undeveloped but was used for agricultural purposes in the past. One single-family residence and associated structures exist within the proposed annexation area and will remain after annexation. The annexation site will be developed into 47 single-family homes. The project site is surrounded by single-family residential uses to the east, south and west. To the north of the site are existing row crops however Ripon’s General Plan has designated the area as High-Low Density Residential for future residential development. Development of the proposed site will continue the pattern of single-family residential homes for in the area. (Exhibit D: Aerial Photo 2018)

(b) The need for organized community services and present cost and adequacy of governmental services

Essential governmental services which are provided at the present time, and which will be provided after annexation are indicated on the following chart:

SERVICE	CURRENT PROVIDER	AFTER ANNEXATION
Law Enforcement	County Sheriff	City
Fire Protection	Ripon Consolidated Fire District	Ripon Consolidated Fire District
Water	None	City
Sewer	None	City

Drainage	None	City
Irrigation	South San Joaquin Irrigation District	South San Joaquin Irrigation District
Schools	Ripon Unified	Ripon Unified
Planning	County	City
Reclamation	None	None

Upon annexation the territory will receive all City municipal services currently provided to the inhabitants within the City. In May 2018, the Commission approved the City’s MSR and SOI Plan which demonstrated the City’s ability to provide services to current and future annexed territories within its sphere of influence, including the proposed project.

(c) *The effect of the proposed action and of alternative actions, adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county*

The proposed action will not have an effect on any social interests or any effect on economic interests. The property owners have consented to the annexation to the City. There will be no effect of the proposed action on the local governmental structure of the county.

(d) *The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. Section 56377 requires that the Commission, in reviewing a proposal that would reasonably induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, to consider the following policies and priorities:*

- 1) *Development of land for other than open-space uses shall be guided away from existing prime agricultural lands toward areas containing nonprime agricultural lands*
- 2) *Development of existing vacant or non-prime agricultural lands for urban uses within the jurisdiction or SOI should be encouraged before development of existing open-space lands for non-open space uses outside of the jurisdiction or SOI*

The project site is prime agricultural land as defined by Government Code Section 56064. Development of the site to urban uses was contemplated in the City’s 10-year sphere horizon and the City’s 2040 General Plan. The City has demonstrated in its Vacant Site Inventory (Exhibit E-Statement of Open Space (AG) and Land Conversion) that it has approximately 62.53 acres of land available for single-family residential development. A majority of these sites, however, are small infill lots that have a capacity of one to two units. Only one site, consisting of 33.25 acres (1455 S Mohler Road), with a capacity of 66 residential units is available but the site is currently in agricultural uses. The proposed annexation site is adjacent to the City boundary and conforms to the Commission policies on providing planned, orderly, and efficient patterns of urban development.

(e) *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016*

Agricultural lands are defined as land that is currently used for the purpose of producing an agricultural commodity for commercial purposes. The proposed annexation site consists of

two parcels and portions of two adjacent parcels totaling 17.19-acres. One parcel (APN 261-210-08) is currently vacant but was used for agricultural purposes in the past. The other parcel consists of a single-family residence and its associated accessory structures and will remain after annexation. The project site is surrounded by established single-family residences to the east, south, and west. To the north of the site are row crops and ranchette style homes. This area is planned for High-Low Density Residential development in the Ripon General Plan.

(f) *The definiteness and certainty of the boundaries of the territory*

The annexation area includes two full assessor parcels and portions of two adjacent properties. A lot line adjustment will be needed in order to meet the requirement that full assessment parcels are annexed. If annexation is approved, the project applicant will execute agreements with the adjacent property owners for dedication of their land to complete the lot line adjustment. The landowners of these two adjacent properties have consented to annexation. It is therefore recommended that the Commission approve the annexation with a condition that a lot line adjustment be completed prior to recordation of the Certificate of Completion.

(g) *A regional transportation plan adopted pursuant to Section 65080 and consistency with city or county general and specific plans*

The 2018 Regional Transportation Plan and Sustainable Communities Strategy was adopted by the San Joaquin Council of Governments on June 28, 2018. The Plan is intended to determine the transportation needs of the region as well as the strategies for investing in the region's transportation system. The Plan was considered as part of the City's environmental review for the project and it was concluded that the project does not appear to conflict with the Plan.

(h) *The proposal's consistency with city or county general and specific plans*

The County's General Plan designation for the project site is Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40). The Ripon City Council pre-zoned the area as RIU (Single Family Residential Urban) which includes a mixture of Single-Family Residential (R1), Single-family Residential-Large (R1-L), Single-family Residential-Custom (R1-C), and Limited Multiple Family (R3). The multiple zoning allows for a variety of lot sizes and is consistent with the City of Ripon's existing General Plan.

(i) *The sphere of influence of any local agency, which may be applicable to the proposal being received*

The proposed annexation territory is currently being served by the Ripon Consolidation Fire District and will remain in the district after annexation for fire service. The annexation site is also within the service boundary of South San Joaquin Irrigation District and will not detach. The annexation territory will detach from the San Joaquin County Resource Conservation District as it serves unincorporated county only.

(j) *Comments of any affected local agency or other public agency (Exhibit F-Referral Comments)*

County Public Works: No comments.

South San Joaquin Irrigation District: The District owns facilities and provides irrigation service in the subject area and its surroundings. The proposed annexation would tend to further induce development in the area which could eventually create certain problems for the District and result in increased demand upon District facilities and operations, if not properly addressed. Developers will be required to replace District facilities affected by development, as well as determination of adverse impact to District's storm water facilities.

County Environmental Health Department: The San Joaquin County Environmental Health Department (EHD) is supportive of this project with the condition that appropriate permits are obtained for abandoning wells or septic systems and that any geotechnical drilling be conducted under permit and inspection.

(k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change

The City will extend municipal services to the annexation area. As required by Government Code Section 56653 the City submitted a Plan for Services (Exhibit F-Plan for Service). GC 56653 requires that the plan address the following: 1) an enumeration and description of services to be provided; 2) the level and range of those services; 3) an indication of when those services can feasibly be extended; 4) improvements or upgrading of services or other conditions that would be imposed or required by the annexation; and 5) how the services will be financed. Detailed information can be found in the City's Plan for Services (Exhibit G: Plan for City Services

Water: The City provides potable and non-potable water supplies to City residents through its own water distribution system. Potable water is provided by the City from its 8 groundwater wells. In addition, the City receives surface water supplies from the South San Joaquin Irrigation District which is used to recharge the City's underlying aquifer. Groundwater recharge helps the replenishment of the aquifer, reassuring groundwater is available for future City use. The project will connect to two existing water lines located in Boesch Drive and John Roos Avenue. The developer of the project will be required to pay into the City's Public Facilities Financing Plan for water supply facilities and major distribution lines. The Municipal Service Review and Sphere Plan approved by the Commission in 2018 determined that there is a sufficient water supplies to serve both existing development and demand which would be created by future planned development, including the proposed project.

Sewer: Wastewater is collected and routed to the City's wastewater treatment facility located near the Stanislaus River. The City has the ability to accommodate an average daily maximum flow of 1.0 MGD with a capacity of 1.4 MGD. The project will connect to the two existing City-maintained 12-inch sewer lines located in Boesch Drive and John Roos Avenue. The City has determined that the anticipated output from the project (approximately 3,072 gpd or .24 percent) would not result in a need to increase the current capacity of the City's Wastewater Treatment Plant. The developer will be required to pay applicable Wastewater Fees according to the Public Facilities Financing Plan for wastewater.

Drainage: The City operates its own storm drainage system. The project will include expansion of the City's existing storm drain system and connection to existing storm

drainage lines in John Roos Avenue and Boesch Drive. The developer will be required to pay Storm Drain Fees according to the Public Facilities Financing Plan for storm drains.

Police: Law enforcement services are currently provided by the County Sheriff's Office and will be provided by the City's Police Department upon annexation. The police department has sufficient resources and staffing levels to provide services to the annexed territory. Full build-out of Pereira anticipates a population increase of 141 persons allowing the City to maintain its police officer staffing level of 1.5 officers per 1,000 residents.

Fire: The annexation site is within the service area of the Ripon Consolidated Fire District and will remain within the fire district after annexation. The Ripon Consolidated Fire District provides service to the City of Ripon as well as the unincorporated area surrounding the City. The Ripon Consolidated Fire District provides fire prevention and firefighting service, paramedic and emergency medical technician service, hazardous materials response, urban search and rescue and water rescue. The fire district operates from its main station at 142 S. Stockton Avenue about 1.5 miles from the annexation site. The fire district also owns two unmanned facilities that will be activated when future funding sources such as a special tax or levy, State and Federal Grants, are secured. Development of the project will require payment of all applicable fire service fees and special assessments required to fund its fair share of fire service. The applicant has also entered into an agreement to pay additional fire mitigation fees. The fire district maintains a goal for the initial company of firefighters to arrive on the scene for fire and emergency medical service incidents within five minutes, 90% of the time. It is anticipated that response times to the annexation site will be between 4 ½ and 5 minutes.

(l) Timely availability of water supplies adequate for the projected needs as specified in Government Code Section 65352.5

The City's Urban Water Management Plan (UWMP) was adopted by the City in November 2017. The State requires that a UWMP be prepared every five years. The Plan is an important tool for reporting long-term planning efforts to ensure that adequate water supplies are available to meet existing and future water needs and reports the City's effort in achieving water conservation efforts. Two groundwater aquifers underlying the City and its planning area are the primary sources of water for the City. The combined annual recharge of the two aquifers are 196,000 to 263,000 AF annually. Potable water is supplied by several wells throughout the City as well as two elevated water tanks. The City receives untreated raw water from South San Joaquin Irrigation District. Surface water from this source is used primarily for groundwater recharge. In 2020 the existing potable and non-potable water supply for the City is 19,010 AF annually and in 2040 it is projected to be 35,521 AF annually. (Exhibit H: Statement of Timely Availability of Water Supply)

(m) The extent to which the proposal will affect a city and the county in achieving their respective fair share of the regional housing needs

The California Department of Housing and Community Development determines the total number of new homes needed and how affordable those homes need to be in order to meet the housing needs of people at all income levels. The San Joaquin Council of Governments then distributes a share of the region's housing need to each city. Each local government must then update the Housing Element of its general plan to show the locations where

housing can be built and the policies and strategies necessary to meet the community's housing needs. The City of Ripon received an allocation of 1,480 housing units during the 2014-2023 cycle. The Pereira subdivision will contribute 48 housing units, including the existing single-family dwelling, towards meeting its housing needs. Four lots are to be offered as affordable housing units consistent with the Ripon Municipal Code Chapter 16.194 (Affordable Housing) and the remaining units will be market rate housing. (Exhibit I: Statement of Fair Share Housing Needs)

(n) *Any information or comments from the landowner or owners, voters, or residents of the affected territory*

No information or comments have been received from landowners, voters, or residents of the affected territory.

(o) *Any information relating to existing land use designations*

There is no other land use information related to this project.

(p) *The extent to which the proposal will promote environmental justice. This means the fair treatment and meaningful involvement of people of all races, cultures, incomes and notional origins with respect to the location of public facilities and the provision of public services to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.*

There is no documentation or evidence suggesting the proposal will result in the unfair treatment with respect to the location of public facilities or the provision of public services. There is no measurable effect for or against promoting environmental justice.

DISCUSSION

The annexation of the two parcels is a logical extension of the northern City boundary and provides for an orderly development of the area. The proposed annexation area is within Ripon's 10-year Sphere of Influence and is coterminous with the City boundary. Approval of the proposal would allow for a full range of municipal services to be provided to the affected territory. The availability of these municipal services are consistent with the City's General Plan, which designates and rezones the affected territory for single-family residential uses

The proposal could result in a benefit to the City with respect to achieving its fair share of the regional housing needs during the foreseeable future as a result of the potential development of up to 47 residential units as contemplated in the City General Plan. Four lots are to be offered as affordable housing units consistent with the Ripon Municipal Code Chapter 16.194 (Affordable Housing).

Affected landowners within the annexation area provided their consent to annex into the City. Landowners losing a portion of their property have agreed to dedicate a portion of their land for the extension of John Roos Avenue and Boesch Drive. A lot line adjustment is needed in order to meet the requirement that full assessment parcels are annexed. If annexation is approved, the project applicant will execute agreements with the adjacent property owners for dedication of their land to complete the lot line adjustment. It is therefore recommended that the Commission approve

the annexation with a condition that a lot line adjustment be completed prior to recordation of the Certificate of Completion.

Attachments: Resolution No. 1437
Exhibit A-Vicinity Map
Exhibit B-City Resolution and Justification of Proposal
Exhibit C-Notice of Determination
Exhibit D-Aerial Photo 2018
Exhibit E-Statement of Open Space (AG) and Land Conversion
Exhibit F-Referral Comments
Exhibit G-Plan for City Services
Exhibit H-Statement of Timely Availability of Water Supply
Exhibit I-Statement of Fair Share Housing Needs

RESOLUTION NO. 1437

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
APPROVING THE PEREIRA REORGANIZATION TO THE CITY OF RIPON
WITH CONCURRENT DETACHMENT FROM THE SAN JOAQUIN COUNTY
RESOURCE CONSERVATION DISTRICT (LAFC 11-20)**

WHEREAS, the above entitled proposal was initiated by resolution by the City of Ripon and on June 9, 2020 the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act of 2000; and

WHEREAS, the Commission held a Zoom and teleconference public hearing in accordance with the Governor's Executive Order N33-20 on the proposed reorganization on October 8, 2020, pursuant to notice of hearing which was published, posted, and mailed in accordance with State law; and

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the proposal and all persons were given an opportunity to address the Commission; and

WHEREAS, the City of Ripon certified and adopted a Mitigated Negative Declaration and approved Mitigation Measures for the Pereira Reorganization to the City of Ripon;

WHEREAS, the subject territory is uninhabited and has 100% owner consent;

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the public hearing held on October 8, 2020;

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Mitigated Negative Declaration and adopts the CEQA Mitigation Measures as certified by the City of Ripon.

Section 2. Finds that the proposal is uninhabited and has 100% owner consent.

Section 3. Approves the annexation of the Pereira Reorganization to the City of Ripon with concurrent detachment from the San Joaquin County Resource Conservation District with the following condition:

- a. Applicant will execute agreements with the adjacent property owners for dedication of their land
- b. Applicant shall be required to complete a lot line adjustment to meet the requirement that full assessor parcels be annexed

Section 4. The Executive Officer shall be instructed to withhold filing the Certificate of Completion until the conditions specified in Section 3 have been satisfied and a map and legal description has been approved by the County Surveyor.

Section 5. Finds, pursuant to Government Code Section 56856.5, the reorganization is necessary to provide services to a planned, well-ordered, and efficient urban development pattern that includes appropriate consideration of the reservation of open-space lands within those urban development patterns.


PASSED AND ADOPTED this 8th day of October 2020 by the following roll call vote:

AYES:

NOES:

ABSENT:

JESUS ANDRADE, CHAIRMAN
San Joaquin Local Agency Formation Commission



North Star
Engineering Group, Inc.
 • CIVIL ENGINEERING • SURVEYING • PLANNING •
 620 12th Street Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

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VICINITY MAP

NTS

PLOTTED: 9/25/2019 12:57 PM PLOTTED BY: Phurbon
DWGNAME: F:\18-2124_Pereira_Subdivision\Planning\1-V-Map.dwg

RESOLUTION NO. 20-13

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RIPON APPROVING TENTATIVE SUBDIVISION MAP,
ADOPTING A MITIGATED NEGATIVE DECLARATION,
AND AUTHORIZING APPLICATION FOR ANNEXATION OF
THE PEREIRA PROPERTY LOCATED ON THE NORTH/EAST
CORNER OF NORTH RIPON ROAD AND EAST BOESCH
DRIVE

WHEREAS, HPG Ripon Development, LLC. applied for a Pre-Zone, Annexation, Tentative Subdivision Map and Development Agreement for 17.19 acres of located at the northeast corner of North Ripon Road and East Boesch Drive referred to as the Pereira Residential Subdivision (the "Project"); and

WHEREAS, the Project is located outside of the City of Ripon limits, but is surrounded on three (3) sides by City limits and is located within the City's adopted Sphere of Influence; and

WHEREAS, the Planning Department has analyzed the Project's consistency with the Ripon General Plan 2040, including its environmental effects and its compatibility with surrounding existing and planned land uses; and

WHEREAS, on February 18, 2020, the Planning Commission held a duly noticed public hearing, relating to the Project, and

WHEREAS, after said public hearing, the Planning Commission adopted a motion, recommending to the City Council that it approve the Annexation(A19-01), the Pre-zone of the Project as R1U (Single Family Residential Urban) (Z19-01), the Project Development Agreement (DA19-01), Tentative Subdivision Map (S19-01), subject to the staff conditions and Development Agreement, and adopt the Mitigated Negative Declaration (PEA19-05); and

WHEREAS, said matter was set for a public hearing of the City Council to be held at 6:00 PM on March 10, 2020, in the City Council Chambers located at 259 N. Wilma Avenue, Ripon, California, at which date and time said duly noticed public hearing of the Council was held for the purpose of receiving public comment on the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ripon that it hereby finds and determines as follows:

1. The Annexation (A19-01), Tentative Subdivision Map (S19-01), as well as the design and improvement of the proposed subdivision, is consistent with the Ripon General Plan 2040.
2. The site is within the City of Ripon sphere of influence, contiguous to City limits, and suited for the type of development proposed for the Project, including the density of the proposed Project.

3. A Mitigated Negative Declaration for the Project has been prepared, which analyzed the potential environmental effects of the proposed Project, in accordance with requirements of CEQA.

4. The City Council has also considered the Mitigated Negative Declaration and public comments received, and based on the Council's independent judgement and analysis finds that with the required mitigation incorporated there is no substantial evidence that the Project will have a significant effect on the environment.

BE IT FURTHER RESOLVED by the Council of the City of Ripon to adopt the Project's Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program (PEA19-05) and authorizes and directs the Community and Economic Development Department Director to file a Notice of Determination pursuant to Section 21152 of the Public Resources Code.

BE IT FURTHER RESOLVED by the Council of the City of Ripon, that it hereby approves the Tentative Subdivision Map (S19-01) for 17.19 acres of real property located at the northeast corner of North Ripon Road and East Boesch Drive referred to as the Pereira Residential Subdivision.

BE IT FURTHER RESOLVED by the Council of the City of Ripon that the Community and Economic Development Department Director is hereby authorized and directed to complete and submit on behalf of the City of Ripon, an Application to the San Joaquin County Local Agency Formation Commission for approval and annexation of the Project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 10th day of March, 2020, by the following vote:


RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael Restuccia, Council Member

SECONDER: Dean Uecker, Council Member

AYES: Restuccia, Uecker, Parks, de Graaf, Zuber

**THE CITY OF RIPON,
A Municipal Corporation**

By _____
JACOB PARKS, Mayor

ATTEST:

By: _____
LISA ROOS, City Clerk

San Joaquin
Local Agency Formation Commission
 509 West Weber Avenue Stockton, CA 95203
 209-468-3198 FAX 209-468-3199

JUSTIFICATION OF PROPOSAL

Please complete the following information to process an application under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: (Indicate N/A if Not Applicable)

SHORT TITLE OF THE PROPOSAL: Pereira Subdivision Annexation

TYPE OF PROPOSAL

- | | | |
|---|--|---|
| <input type="checkbox"/> City Incorporation | <input type="checkbox"/> Sphere of Influence Amendment | <input type="checkbox"/> District Formation |
| <input type="checkbox"/> Consolidation | <input type="checkbox"/> Sphere of Influence Update | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Detachment | <input type="checkbox"/> Addition of Services | <input type="checkbox"/> District Dissolution |
| | <input checked="" type="checkbox"/> Reorganization (involving an Annexation and Detachment(s)) | |

AGENCY CHANGES RESULTING FROM THIS PROPOSAL

Agency or Agencies gaining territory: City of Ripon

Agency or Agencies losing territory: San Joaquin County Resource Conservation District

NOTIFICATION

Please indicate the names, addresses and telephone numbers of all Applicants, Applicant's Agents, and all affected Agencies who are to receive the hearing notice and the Executive Officer's Report:

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
<u>HPG Ripon Development LLC (Doug Ledeboer), PO Box 1096, Danville, CA 94526</u>	<u>(925) 683-7052</u>	
<u>City of Ripon (Ken Zuidervaart), 259 N. Wilma Avenue, Ripon, CA 95366</u>	<u>(209) 599-2108</u>	
<u>Pereira Properties (Dan Pereira), 2478 East Avenue, Turlock, CA 95380</u>	<u>(209) 632-1373</u>	
<u>Gregory and Donna Miller, 22874 S. North Ripon Road, Ripon, CA 95366</u>	<u>(209) 613-3951</u>	
<u>Francis and Judith Groen, 948 Sea Breeze Drive, Ripon, CA 95366</u>	<u>(209) 531-3929</u>	
<u>Jack Roche Trust (Cheryl Roche), 26519 Jones Road, Escalon, CA 95320</u>	<u>(209) 838-3307</u>	

(Attach a separate sheet if necessary.)

PROJECT INFORMATION

Please provide project-related information for the following questions:

- 1. Do the proposed boundaries create an island of non-agency territory? Yes No
- 2. Do the proposed boundaries split lines of assessment or ownership? Yes No
- 3. Does the proposal involve public rights-of-way or easements? Yes No
- 4. Does the proposal involve public land or land assessed by the State? Yes No
- 5. Does any part of the proposal involve land under a Williamson Act Contract or Farmland Security Zone? Yes No
- 6. Does any part of the proposal involve land with a Wildlife/Habitat Easement or Agricultural Land Conservation Easement? Yes No

7. List the affected Assessor Parcel Numbers, Owners of record and Parcel Sizes:

<u>APN</u>	<u>Owner</u>	<u>Acreage</u>
261-210-08	Pereira Properties	12.43
261-210-09	Gregory R & Donna L Miller	3.05
261-210-20	Francis W & Judith L Groen	(portion)
261-210-03	Jack RocheTrust	(portion)

(Attach a separate sheet if necessary)

8. Physical Location of Proposal: see attached vicinity and site map
 (Street or Road, distance from and name of Cross Street, quadrant of City)

9. Has an application been filed for an underlying project (such as Development Plan, Conditional Use Permit, or Tentative Subdivision Map)? Yes No
 If Yes, please attach a Project Site Plan or Tentative Subdivision Map.
 If No, please provide an estimate of when development will occur: _____

10. List those public services or facilities which will be provided to the affected territory as a result of the proposed action:

Domestic Water, Sanitary Sewer, Storm Drainage, Police and Fire, Parks and Recreation, Garbage, Joint Utilities (telephone, gas, electric, cable, etc.)

11. Indicate which of these services or facilities will require main line extensions or facility upgrades in order to serve the affected territory:

Domestic Water, Sanitary Sewer, Storm Drainage and Joint Utilities.

12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach a separate sheet if necessary)

Expansion of City's regional housing needs assessment, expansion of affordable housing supply and logical progression of growth.

INDEMNIFICATION AGREEMENT

As part of this application, applicant and real property in interest, if different, agreed to defend, indemnify, hold harmless, and release the San Joaquin Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the San Joaquin Local Agency Formation Commission, its agents, officers, attorneys, or employees.

Executed at City of Ripon, California, on May 14, 2020

APPLICANT

Signature: [Signature]

Title: Planning Director

REAL PARTY IN INTEREST
(If different from Applicant)

Signature: [Signature]

Title: LPG/Ripon Development LLC
MANAGING MEMBER

SUBMITTALS

In order for this application to be processed, the following information needs to be provided:

1. Two copies of this Justification of Proposal, completed and signed with original signatures;
2. Five prints of a full-scale proposal map showing the affected territory and its relationship to the affected jurisdiction (Refer to Guide for Preparation);
3. Five copies of an 8.5" x 11" or 11" x 17" reduction of the proposal map;
4. Three copies of a metes and bounds description of the affected territory;
5. One certified copy of the City Council and/or Special District Board Resolution of Application, or a petition making application to LAFCo (as appropriate);
6. Written permission from each affected property owner (or signature form);
7. One copy of the project environmental document (One Compact Disc if more than 25 pages);
8. One copy of the project Notice of Determination;
9. Three 8.5" x 11" copies of the Vicinity Map (if not included on the proposal map);
10. One copy of the plan for providing services along with a schematic diagram of water, sewer and storm drainage systems (refer to Government Code Section 56653);
11. One copy of the Pre-Zoning map or description (as required by Section 56375);
12. One copy of the Statement of Open Space (Ag) Land Conversion (refer to Section 56377);
13. One Copy of the Statement of Timely Availability of Water Supplies (refer to Section 56668(k);
14. One copy of the Statement of Fair Share Housing Needs (if residential land uses are included in the proposal) (refer to Section 56668(l));
15. One copy of the project design (site plan, development plan, or subdivision map);
16. One copy of the Residential Entitlement matrix form (if residential land uses are included in the proposal); and
17. Filing and processing fees in accordance with the LAFCo Fee Schedule and the State Board of Equalization Fee Schedule.

Additional information may be required during staff review of the proposal.

CERTIFICATION

The undersigned hereby certifies that all LAFCo filing requirements will be met and that the statements made in this application are complete and accurate to the best of my knowledge.

[Signature]
(Signature)

Date: 5-19-20

Print or Type Name: Ken Zuidervaart

Daytime Telephone: (209) 599-2108

Print Form

Filed Doc #: 39-05182020-171

05/18/2020 01:09:44 PM

Steve J. Bestolarides
San Joaquin County Clerk

Notice of Determination

Appendix D

To: Office of Planning and Research
U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

From: Public Agency: City of Ripon
Address: 259 N. Wilma Avenue
Ripon, CA 95366
Contact: Ken Zuidervaart
Phone: (209) 599-2108

County Clerk
County of: San Joaquin County
Address: 44 N. San Joaquin #260
Stockton, CA 95202

Lead Agency (if different from above):
Address: _____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: Pereira Subdivision

Project Applicant: HPG Ripon Development LLC

Project Location (include county): 22898 & 22874 N Ripon Rd, Ripon, CA, San Joaquin County

Project Description:

Project consists of a Pre-Zone, Annexation, Tentative Subdivision Map and Development Agreement to annex approximately 17.19 acres and subdivide two (2) parcels into forty-eight (48) single-family residential lots. Annexation includes two (2) parcels above (APNs: 261-210-08 and -09) and portions of APNs: 261-210-20 and -03 in order to provide street right-of-way for the project.

This is to advise that the City of Ripon City Council has approved the above
(Lead Agency or Responsible Agency)

described project on March 10, 2020 and has made the following determinations regarding the above
(date)
described project.

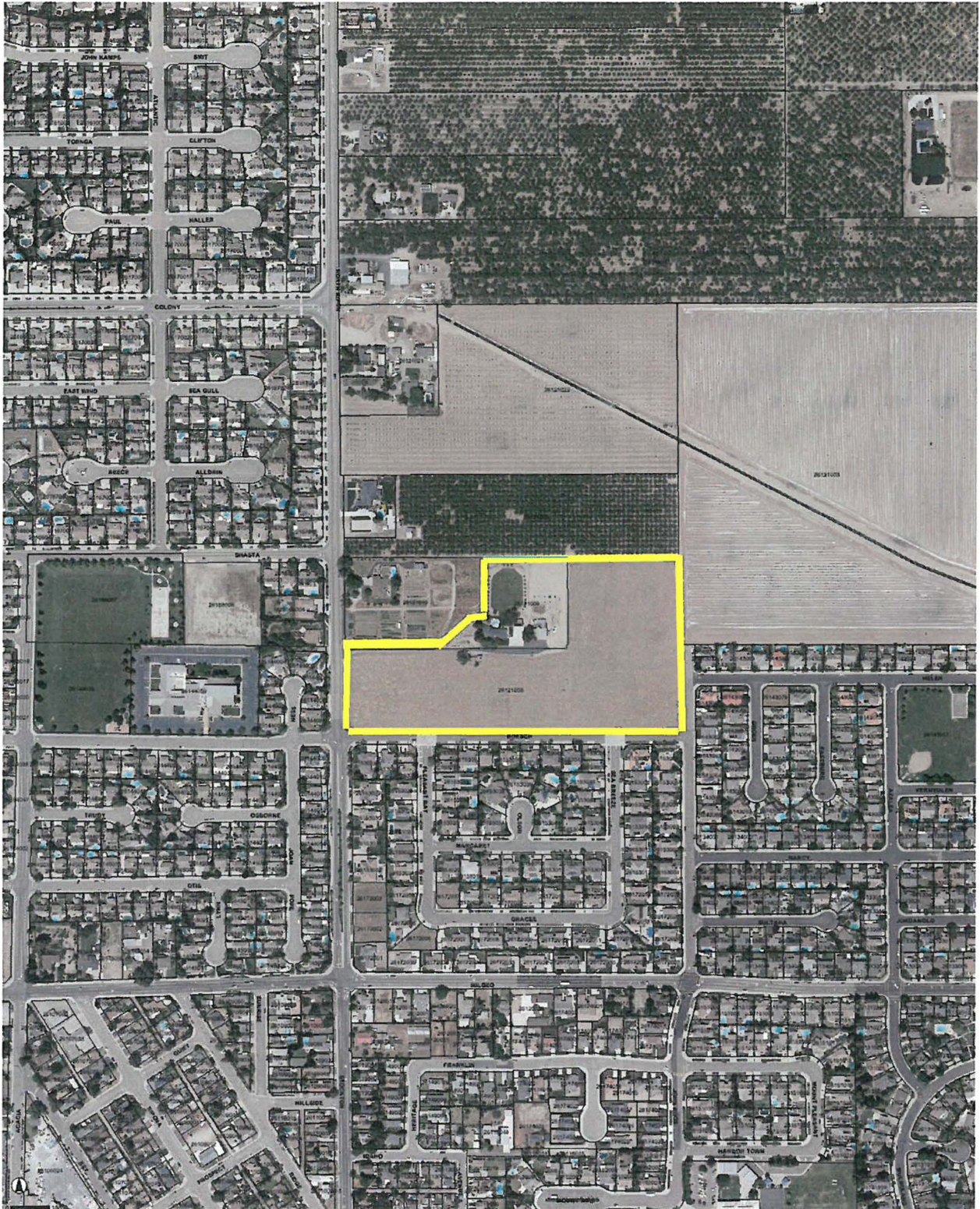
- 1. The project [will will not] have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures [were were not] made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
- 5. A statement of Overriding Considerations [was was not] adopted for this project.
- 6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

259 N. Wilma Road, Ripon, CA 95366

Signature (Public Agency): [Signature] Title: Planning Director

Date: 5-6-20 Date Received for filing at OPR: MAY 18 2020



Aerial Photo 2018
Pereira Reorganization

SJLAFCO submittal Item No. 12 – Statement of Open Space (AG) and Land Conversion

Government Code Section 56377. In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:

(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.

The Initial Study / Mitigated Negative Declaration (IS/MND) associated with the Pereira Subdivision have been prepared to address open space and agricultural land conversion concerns with the annexation. The Ripon City Council adopted the Project's IS/MND on March 10, 2020.

1.1 Prime Agricultural Lands and Farmland Conversion

The Annexation of the Pereira Subdivision Project area, approximately 17.19± acres, would result in permanent conversion of farmland. According to the Farmland Mapping and Monitoring Program for San Joaquin County (2016), the project site is an area designated as Farmland of Local Importance and meets the definition of prime agricultural land in accordance with Section 56064 of the California Government Code. According to the General Plan 2040 Environmental Impact Report (EIR), buildout of the General Plan 2040 would involve the development of approximately 4,200 acres of land and their conversion of predominantly agricultural to urban uses.

The Pereira Subdivision IS/MND includes Mitigation Measure AG-1, which states the following:

Mitigation Measure AG-1

The Applicant shall enter into an agreement with the Central Valley Farm Trust for the permanent protection of farmland or other form of agricultural land mitigation as approved by the City Council of the City of Ripon. Proof of an agreement shall be transmitted to the City of Ripon prior to recordation of the final map.

In addition, agricultural land preservation will be in accordance with policies adopted by the Ripon City Council and will ensure continued protection of farmland.

Residential Development Matrix

As stated in the City’s 2015-2023 Housing Element, the City was allocated 1,480 housing units as part of the regional housing allocation process conducted by the San Joaquin Council of Government for the 2014-2023 5th Regional Housing Need Allocation (RHNA). The City conducted an inventory of vacant land as part of the Housing Element Update and is included in this Statement of Open Space (AG) and Land Conversion to analyze the conversion of existing prime agricultural land.

In addition to the Vacant Site Inventory, the following table lists the proposed and approved residential developments, including the Proposed Project.

Residential Entitlement Matrix

Project Name	Location	Units	Built/Under Construction	Remaining
Meadowbrook	1040 Goodwin Drive (APN: 261-020-03)	93	0	93
Meadowood	810, 980, 1050 Warren Road and 1000 Goodwin Drive (APNs: 261-640-56, 261-650-24, 261-040-02, and 261-020-38)	88	0	88
Alexandra Terrace	905 Doak Boulevard, 947 Doak Boulevard, 948 Gabrielle Place, 930 Gabrielle Place, 920 Gabrielle Place, 1025 Gabrielle Place, and 1151 Emily Lane	19	12	7
Verandas	924 North Ripon Road and 932 North Ripon Road	35	33	2
Pereira Subdivision	22898 and 22874 North Ripon Road	47*	0	47
Total		282	45	237
*Pereira Subdivision annexation includes a lot that has an existing single-family dwelling unit. Note: Information provided by City, May, 2020.				

As illustrated in the Vacant Site Inventory (Attachment 1), the City has 62.53 acres of land available for single-family residential development which equals a residential unit capacity of 180. The majority of these sites are infill lots that have a capacity of one (1) to two (2) units and only one (1) site is similar in unit size to the Proposed Project: 1455 S. Mohler Road, located in the south-western portion of the City and has a residential capacity of sixty-six (66) units. According to Google Maps, the site is utilized for agricultural purposes.

As illustrated above, the City has five (5) approved projects, including the Pereira Subdivision Project. Two (2) of the projects are currently under construction.

As stated in the Statement of Fair Share Housing Needs, since the adoption of the 2015-2023 Housing Element in 2016, the City has issued 273 building permits for residential development. On average, from the period of 2014 to 2019, the City issued sixty-six (66) buildings permits for residential development. The majority of permits issued are for residential development.

Pursuant to Section 56377 of the Government Code, development or use of land for other than open-space shall be guided away from existing prime agricultural lands (Section 56377(a)) and development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands (Section 56377(b)).

As demonstrated above, the City’s inventory of land for the purposes of single-family residential development is a total of 180 dwelling units and the City has only two (2) projects that are yet to be under-construction. Based on the number building permits issued for residential development each year on average, the City will reach the capacity of land zoned for single-family residential development.

In addition, much of the land within the City’s Sphere of Influence and contiguous to the City of Ripon city limits is utilized for agricultural purposes and would be defined as “Prime Agricultural Land” per Section 56064 of the Government Code. The Proposed Project, although historically utilized for agricultural purposes, is bounded by the City of Ripon City Limits on three (3) sides and a logical annexation for the purposes of urban development.

As such, the annexation and development of the Proposed Project is needed for the City continue to grow in a planned, orderly, and efficient manner.

1.2 Williamson Act Land Conservation Contracts

There are no Williamson Act contracts within the proposed annexation area. Therefore, the proposed project would involve no conflicts with Williamson Act contracts.

1.3 Policy Consistency

The subject property is contemplated for urban development as defined in the City of Ripon’s 2040 General Plan. In addition, the project site is located within the City of Ripon’s Primary Sphere of Influence, which is a rural-urban transition area of the County-City and is designated to be annexed into the City within 0 – 10 years. Ripon has demonstrated that they are capable of providing City services for the project area in the future with the City’s Municipal Service Review (MSR).

1.4 Justification

Despite the impact to agricultural land in San Joaquin County, the project will promote planned, orderly, and efficient development. Consistent with the requirement that LAFCo review the proposed annexation request pursuant to the criteria provided in Government Code Section 56337 (listed above), the following justification and findings in support of the approval of the annexation request.

1. Lands within the annexation area are within the Ripon Sphere of Influence and are planned for urban uses in the Ripon 2040 General Plan.
2. The project is located within the City of Ripon 0 – 10-year Planning Horizon.
3. The project is located adjacent to existing single-family residences and the Ripon City Limits to the east, south, and west. The project proposes an orderly and logical boundary for annexation and is contagious to the City Limits.
4. The project creates a logical extension of the City boundaries and can be served by City infrastructure and public services.
5. Approval of the annexation would not induce adjacent agricultural lands to convert to non-agricultural uses.
6. The project includes a Mitigation Measure that requires the applicant/developer to enter into an agreement with the Central Valley Farm Trust for the permanent protection of farmland or other form of agricultural mitigation as approved by the City Council of the City of Ripon.

Attachment 1 – Vacant Site Inventory

Appendix A - Inventory of Residential Sites

APN	Address	Zoning	General Plan	Acres	Notes	Capacity
25743037	1196 S Mohler Road	UC	LD	0.64	Undeveloped	4
26120021	155 Franklin Lane	R1	LD	0.17	Undeveloped	1
26120022	163 Franklin Lane	R1	LD	0.17	Undeveloped	1
26120018	368 E. Milgeo Road	R1	LD	0.19	Developed	1
25926004	329 Palm Avenue	R1	LD	0.22	Undeveloped	1
25914010	711 Orange Avenue	R1	LD	0.23	Undeveloped	1
26120014	114 E Milgeo Road	R1	LD	0.23	Developed	1
25960018	1285 Sapphire Court	R1	LD	0.28	Undeveloped	1
25918009	829 W. Fourth Street	R1	LD	0.42	Undeveloped	1
26143076	1178 Groen Court	R1A	LD	0.19	Undeveloped	1
26150007	846 Oak Terrace Court	R1A	LD	0.20	Undeveloped	1
26172037	215 Gracee Lane	R1A	LD	0.20	Undeveloped	1
26142003	410 Laurelwood Lane	R1A	LD	0.21	Undeveloped	1
25745026	691 Kelcie Drive	R1A	LD	0.23	Undeveloped	1
26172036	121 E Milgeo Road	R1A	LD	0.26	Developed	1
26172006	188 Gracee Lane	R1A	LD	0.28	Developed	1
26171003	946 Cypress Point Drive	R1A	LD	0.28	Developed	1
26136004	1148 Spring Creek Drive	R1A	LD	0.29	Undeveloped	1
26122029	1210 N Manley Road	R1A	LD	0.29	Developed	1
26146065	345 S. Manley Road	R1A	LD	0.32	Undeveloped	1
26150006	868 Oak Terrace Court	R1A	LD	0.35	Undeveloped	1
26135039	308 Aster Court	R1A	LD	0.38	Undeveloped	1
26168006	164 W. Shasta Ave	R1A	LD	2.22	Undeveloped	11
25962030	1238 Callaway Circle	R1C	LD	0.23	Developed	1
25738010	1258 Buzzini Court	R1C	LD	0.24	Undeveloped	1
26172002	924 N Ripon Road	R1C	LD	0.35	Undeveloped	1
26172001	902 N Ripon Road	R1C	LD	0.35	Developed	1
26172003	932 N Ripon Road	R1C	LD	0.36	Undeveloped	1
25739027	1211 S Highland Avenue	R1C	LD	0.36	Developed	1
25745008	684 Mohler Road	R1C	LD	0.62	Undeveloped	1
25911001	1190 Robert Avenue	R1C	LD	1.02	Undeveloped	2
25911011	1179 Vera Avenue	R1C	LD	2.25	Undeveloped	4
25910052	1121 Vera Avenue	R1C	LD	4.79	Alexandra Place Developed	19

Appendix A - Inventory of Residential Sites

APN	Address	Zoning	General Plan	Acreeage	Notes	Capacity
25727071	1455 S Mohler Road	R1E	VLD	33.25	1 single family home and 1 second unit. 95% of site is undeveloped and existing uses are anticipated to be removed if site is developed in the future.	66
25744016	1865 Davidson Court	R1E	VLD	0.40	Undeveloped	1
25744024	1861 Riverview Circle	R1E	VLD	0.65	Undeveloped	1
25743043	1406 Riverview Circle E.	R1E	VLD	0.73	Developed	1
25967002	924 Vera Avenue	R1L	LD	0.20	Developed	1
25967003	936 Vera Avenue	R1L	LD	0.20	Undeveloped	1
25967001	904 Vera Avenue	R1L	LD	0.20	Developed	1
25967012	817 De Pedrini Drive	R1L	LD	0.23	Developed	1
25967016	792 De Pedrini Drive	R1L	LD	0.24	Developed	1
25967009	953 Coconut Lane	R1L	LD	0.27	Developed	1
25967035	1066 Palm Ave.	R1L	LD		Undeveloped	1
24535001	105 Clendenin Parkway	R1U	HLD	0.21	Developed	1
24535003	1817 North Ripon Rd	R1U	HLD	0.27	Developed	1
24535004	1825 North Ripon Rd	R1U	HLD	0.27	Developed	1
24535026	1814 Flagstone Dr	R1U	HLD	0.20	Developed	1
24535027	1806 Flagstone Dr	R1U	HLD	0.20	Developed	1
24535028	239 Clendenin Pkwy	R1U	HLD	0.22	Developed	1
24535029	287 Clendenin Pkwy	R1U	HLD	0.33	Developed	1
24535030	325 Clendenin Pkwy	R1U	HLD	0.23	Developed	1
24535031	357 Clendenin Pkwy	R1U	HLD	0.23	Developed	1
24535032	373 Clendenin Pkwy	R1U	HLD	0.28	Developed	1
24535033	385 Clendenin Pkwy	R1U	HLD	0.23	Developed	1
24535034	435 Clendenin Pkwy	R1U	HLD	0.32	Developed	1
24535035	1808 Cornerstone Dr	R1U	HLD	0.23	Developed	1
24535036	1816 Cornerstone Dr	R1U	HLD	0.23	Developed	1
24535037	1822 Cornerstone Dr	R1U	HLD	0.20	Developed	1
24535038	1828 Cornerstone Dr	R1U	HLD	0.20	Developed	1
24535039	1832 Cornerstone Dr	R1U	HLD	0.20	Developed	1
24535044	1827 Shellstone Way	R1U	HLD	0.20	Developed	1

Appendix A - Inventory of Residential Sites

APN	Address	Zoning	General Plan	Acreage	Notes	Capacity
24535045	1823 Shellstone Way	R1U	HLD	0.20	Developed	1
24535046	1817 Shellstone Way	R1U	HLD	0.20	Developed	1
24535047	1811 Shellstone Way	R1U	HLD	0.20	Developed	1
24535048	1812 Shellstone Way	R1U	HLD	0.20	Developed	1
24535049	372 Gemstone Lane	R1U	HLD	0.22	Developed	1
24535050	352 Gemstone Lane	R1U	HLD	0.20	Developed	1
24535051	324 Gemstone Lane	R1U	HLD	0.21	Developed	1
24535052	298 Gemstone Lane	R1U	HLD	0.21	Developed	1
24535053	280 Gemstone Lane	R1U	HLD	0.21	Developed	1
24535054	262 Gemstone Lane	R1U	HLD	0.21	Developed	1
24535055	236 Gemstone Lane	R1U	HLD	0.20	Developed	1
26112025	130 Oregon Street	R1UC	UC	0.11	Undeveloped	1
26113027	127 Oregon Street	R1UC	UC	0.11	Undeveloped	1
26113028	119 Oregon Street	R1UC	UC	0.11	Undeveloped	1
25903020	120 Maple Avenue	R1UC	HLD	0.12	Undeveloped	1
26109051	830 Ridge Avenue	R1UC	UC	0.13	Developed	1
25930035	124 Second Street	R1UC	HLD	0.14	Undeveloped	1
25937025	116 Third Street	R1UC	HLD	0.16	Undeveloped	1
Subtotal: UC, R1, R1A, R1C, R1E, R1L, R1U, R1UC				62.53		180
26105015	733 N. Acacia Avenue	R3	MD	2.00	Undeveloped	26
24534016	1200 W. River Road	R3	MD	26.41	Developed	133
24534022	North Pointe Specific Plan	R3	MD	7.00	NPSP land use designation of Residential 8-11 units/acre. Undeveloped.	50
26102003	North Pointe Specific Plan	R3	MD	16.99	The City has an approved Development Agreement for a project. The project is a single family residential project with a total of 93 units.	93

Appendix A - Inventory of Residential Sites

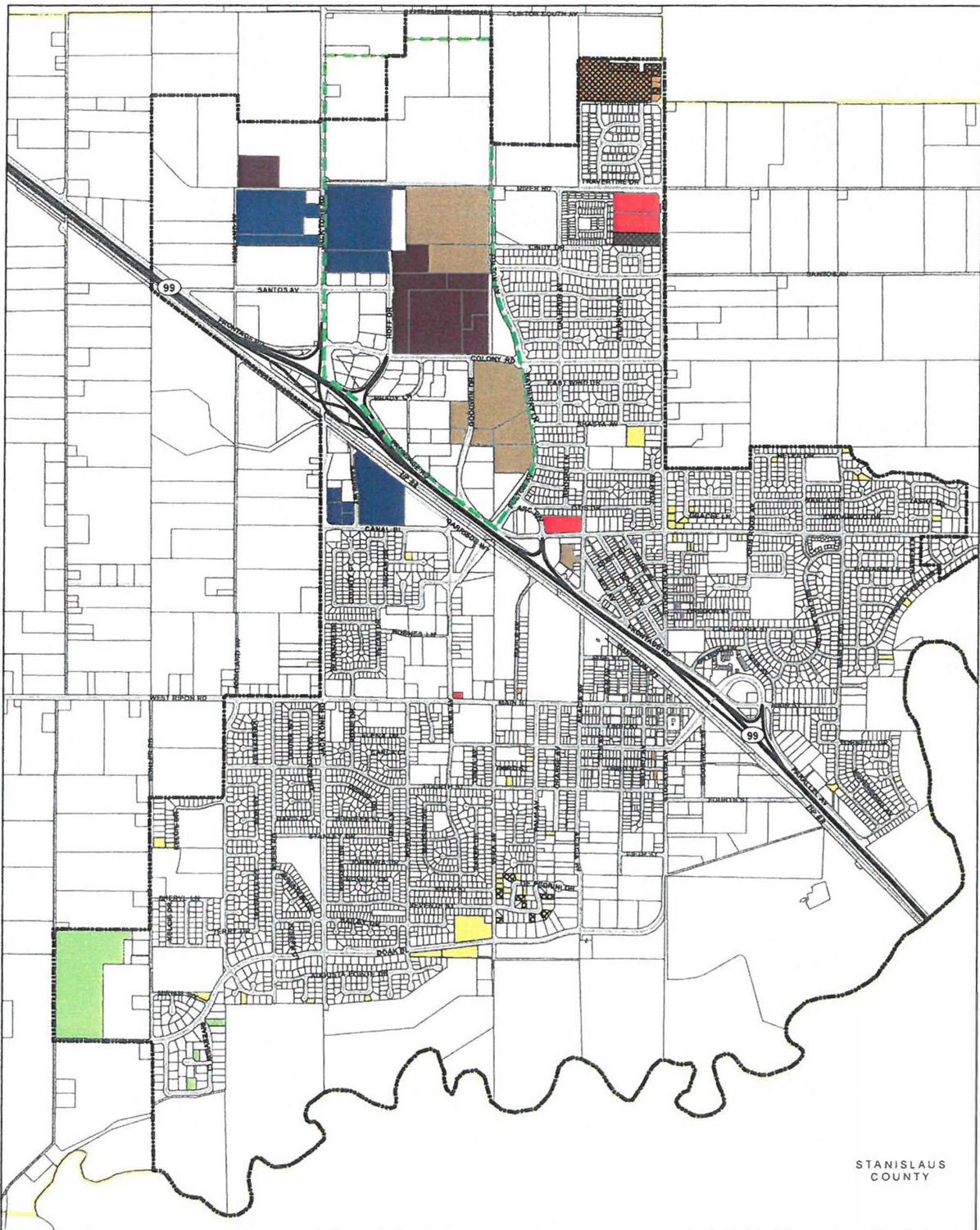
APN	Address	Zoning	General Plan	Acreage	Notes	Capacity
26104002	North Pointe Specific Plan	R3	MD	5.19	The City has an approved Development Agreement for a project which includes the following 2 parcels. The project is a single family residential project with a total of 88 units.	32
26165024	North Pointe Specific Plan	R3	MD	5.84	See above (APN 26104002)	43
26102005	1001 Warren Road	R3	MD	1.86	See above (APN 26104002)	13
Subtotal: R3				65.29		390
24534022	North Pointe Specific Plan	R4-U	VHD	5.20	NPSP land use designation of Residential 28 units/acre. Undeveloped.	116
24534048	North Pointe Specific Plan	R4-U	VHD	3.80	NPSP land use designation of Residential 28 units/acre. Undeveloped.	85
24534049	North Pointe Specific Plan	R4-U	VHD	3.91	NPSP land use designation of Residential 28 units/acre. Industrial use on approximately 20% of site.	88
24534045	North Pointe Specific Plan	R4-U	VHD	4.18	NPSP land use designation of Residential 28 units/acre. Existing single family home.	94
24534043	North Pointe Specific Plan	R4-U	VHD	3.20	NPSP land use designation of Residential 28 units/acre. Existing single family home.	72

Appendix A - Inventory of Residential Sites

APN	Address	Zoning	General Plan	Acreage	Notes	Capacity
24534044	North Pointe Specific Plan	R4-U	VHD	3.71	NPSP land use designation of Residential 28 units/acre. Existing outbuildings.	83
22811006	1705 N. Jack Tone Road	R4-U	VHD	3.50	Undeveloped - 3.5 acres designated for multifamily in southwest corner of 29-acre parcel.	78
26103033	1663 N. Ripon Road	R4-U	VHD	6.13	Developed	112
Subtotal: R4-U				27.50		728
26103034	222 W. River Road	C1	NC	1.86	Developed	7
26103035	200 W. River Road	C1	NC	1.06	Developed	4
26103036	112 W. River Road	C1	NC	1.08	Undeveloped	4
25966010	563 N. Wilma Ave.	C1	NC	0.95	Undeveloped	3
25966011	521 N. Wilma Ave.	C1	NC	0.81	Undeveloped	3
26163015	659 W. Milgeo Ave.	C2	CC	1.17	Undeveloped	4
26163016	615 W. Milgeo Ave.	C2	CC	1.22	Undeveloped	4
26163017	539 W. Milgeo Ave.	C2	CC	1.17	Undeveloped	4
26160013	1220 W. Colony Road	C2	CC	0.80	Undeveloped	3
25966021	112 N. Wilma Avenue	C2	CC	0.37	Undeveloped	1
Subtotal: Commercial				10.48		128
25966058	744 N. Jack Tone Road	MU	MU	1.12	Undeveloped	5
25966059	720 N. Jack Tone Road	MU	MU	0.75	Undeveloped	3
25966061	1551 Canal Boulevard	MU	MU	0.81	Undeveloped	4
25966069	850 Kamps Way	MU	MU	2.00	Developed	10
25966070	752 Kamps Way	MU	MU	4.90	Undeveloped	24
25966071	716 Kamps Way	MU	MU	2.00	Undeveloped	10
25966072	1441 Canal Blvd	MU	MU	5.14	Undeveloped	25
25966060	710 N. Jack Tone Road	MU	MU	1.73	Undeveloped	8
22811012	1675 N. Jack Tone Road	MU	MU	17.77	Almond orchard	88
22811014	1601 N. Jack Tone Road	MU	MU	4.96	Almond orchard	24
24534014	1650 Jack Tone Road	MU	MU	16.00	Almond orchard (16 acres designated MU of 24-acre parcel)	80

Appendix A - Inventory of Residential Sites

APN	Address	Zoning	General Plan	Acreage	Notes	Capacity
24534017	1570 Jack Tone Road	MU	MU	7.99	Existing rural home and almond orchard	39
Subtotal: MU				65.16		320
TOTAL INVENTORY OF HOUSING SITES				230.96		1,746



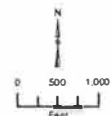
STANISLAUS COUNTY

General Plan Designation

- VLD - Very Low Density Residential
- LD - Low Density Residential
- HLD - High Low Density Residential
- MD - Medium Density Residential
- HD - High Density Residential
- VHD - Very High Density Residential
- CC - Community Commercial
- UC - Urban Core
- MU - Mixed Use

- Under Construction
- North Pointe Specific Plan Area
- Ripon City Limits
- Ripon Sphere of Influence

CITY OF RIPON HOUSING ELEMENT
Figure 1: Inventory of Sites



Source: City of Ripon, San Joaquin Hills, Map 449, January 7, 2016



Department of Public Works

Fritz Buchman, Interim Director of Public Works

Alex Chetley, Interim Deputy Director/Development

Jim Stone, Deputy Director/Operations

Najee Zarif, Interim Deputy Director/Engineering

Kristi Rhea, Public Works Business Administrator

August 20, 2020

MEMORANDUM

TO: James E. Glaser, Executive Officer
LAFCo
CONTACT PERSON: Elizabeth Contreras, LAFCo Analyst

FROM: Jayna Rutz, Interim Engineering Services Manager *JR*
Development Services Division

SUBJECT: PEREIRA REORGANIZATION TO THE CITY OF RIPON (LAFc 11-20)
To annex 20.76 acres to the City of Tracy.

LOCATION: John Roos Avenue to the east, Boesch Drive to the south, North Ripon Road and North
Stockton Avenue to the west. (APN 261-210-08 and 09; 261-210-20; 261-210-03)

COMMENTS:

- **No comments for this proposal.**

AC:SC

X: LAFcO LAFcO Referrals Pereira Reorganization (LAFc 11-20) Comments to LAFcO (LAFc 11-20).doc



SOUTH SAN JOAQUIN
IRRIGATION DISTRICT

August 17, 2020

LAFCO
509 West Weber Ave., Ste. 420
Stockton, CA 95203

Attn: James Glaser, LAFCo Analyst

Re: Pereira Reorganization to the City of Ripon
(LAFc 11-20)

Dear Mr. Glaser:

This letter is to express South San Joaquin Irrigation District's concerns relative to the proposed annexation as it relates to the potential impact on the District.

The District would like to inform those involved in the review process of issues that will require mitigation at some point should development or additional services be provided to this particular area.

The District owns facilities and provides irrigation service in the subject area and its surroundings. The proposed annexation would tend to further induce development in the area which could eventually create certain problems for the District if not properly addressed.

Generally, development will involve road and underground utility construction, storm drainage discharge into District facilities, landscaping and general construction within District easements, all of which could result in increased demand upon District facilities and operations. Applicant should be made aware that developers will be required to replace District facilities affected by development, as well as determination of adverse impact to District's storm water facilities.

*P.O. Box 747, Ripon, CA 95366-0747 (Mailing)
11011 E. Highway 120, Manteca, CA 95336-9750
(209) 249-4600*

Additionally, the subject area is located adjacent to land utilized for agricultural purposes and served with District water. Surface water to surrounding agricultural property may cause elevated levels of groundwater. These operations may result in noise, dust, smoke, accidental flooding, sprays and odors, which occur during normal District and agricultural activities. Furthermore, the District will need to have continued unrestricted access to its facilities and the properties it serves.

Those applying for annexation for the purpose of development should be made aware of these potential problems and concerns and Developer is advised to contact the District during the early stages of planning to assure that these issues can be properly mitigated.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "F. Killingsworth". The signature is written in a cursive, slightly stylized font.

Forrest Killingsworth
Engineering Department Manager

*P.O. Box 747, Ripon, CA 95366-0747 (Mailing)
11011 E. Highway 120, Manteca, CA 95336-9750
(209) 249-4600*



SAN JOAQUIN
— COUNTY —
Greatness grows here.

Environmental Health Department

Wayne Fox, REHS, Interim Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Michael Kith, REHS

Melissa Nissim, REHS

August 25, 2020

To: San Joaquin Local Agency Formation Commission
Attention Executive Officer: James E. Glaser

From: Naseem Ahmed; (209) 468-3436 ✓
Senior Registered Environmental Health Specialist

RE: **Pereira reorganization to the city of Ripon (LAFC 11-20)**
APN: 261-21-08, 261-21-09, 261-210-20, 261-210-03

The San Joaquin County Environmental Health Department (EHD) is supportive of this project in regards to the provision of full public services. The EHD requests the following comments be added to the above project for consideration:

The EHD recommends that as a part of developing these properties, any existing well(s) and septic system(s) to be abandoned shall be destroyed under permit and inspection with the Environmental Health Department.

If you have any questions, please call Naseem Ahmed, Senior REHS, at nahmed@sjgov.org or (209) 468-3420.

Michael Kith, REHS
Program Coordinator

SJLAFCO submittal Item No. 10- Plan for City of Ripon Services

1.0 Introduction

Pursuant to Section 56653 of the California Government Code, the San Joaquin County Local Agency Formation Commission (LAFCo) requires that any application for a change of organization or reorganization be accompanied by a plan for providing services to the area affected by the requested change of boundary. In accordance with the above cited section, the plan for providing services shall include the following information:

1. An enumeration and description of the services to be extended to the affected territory,
2. The level and range of those services,
3. Any information of when those services can feasibly be extended to the affected territory,
4. An indication of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganize is completed; and
5. Information as to how the services would be financed.

The proposal being submitted to LAFCo includes the annexation of approximately 17.19± gross acres of land into the City of Ripon. A number of related land use entitlement applications have been approved by the City of Ripon for the development of the annexation area for the Pereira Subdivision, a forty-eight (48)-lot single family residential subdivision.

The Plan for Services described below includes a description of the proposed project, and existing and proposed services to be extended to the project area.

2.0 Project Description

The proposed Annexation Area includes two (2) properties and portions of two (2) other properties currently located within San Joaquin County, north of Boesch Drive, east of North Ripon Road and west of John Roos Avenue. A number of related land use entitlement applications have been approved by the City of Ripon for the subdivision of 16.3 acres into forty-eight (48) lots. The annexation area includes the full roadway width of Shasta Avenue and John Roos Avenue and is approximately 17.19 acres in size. The project includes Annexation, Pre-Zone, Tentative Subdivision Map and Development Agreement applications and was approved by the Ripon City Council on March 10, 2020 (Resolution No. 20-13). The principle objective of the proposed annexation is the development of forty-seven (47) single-family residential units. The proposed Annexation Area is illustrated on Figure 1.

2.1 Project Location

The Proposed Project is located northeast of the City of Ripon. The Subject Properties include Assessor’s Parcel Numbers (APNs) 261-210-08 and -09 and portions of two (2) other properties including APNs 261-210-03 and 261-210-20. The project area is bordered to the south and west by existing single-family residences. The proposed annexation area is contiguous with the existing City boundary located along the east, south and western edge of the Project Site. Figure 1 illustrates the Annexation Area boundary in relation to the City limits of the City of Ripon.

2.1.1 Context: Existing & Surrounding Land Use

The existing land uses within the Annexation Area include single family residential uses and vacant land. None of the parcels involved with the annexation are under Williamson Act contracts.

The Proposed Project is surrounded by a variety of land uses. Surrounding land uses are depicted below:

	EXISTING LAND USE	ZONING (City/County)	RIPON GENERAL PLAN
Project Site	Vacant Land and Ranchette Home	Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40) (SJ County)	High Low Density Residential (HLD)
North	Almond Orchard	General Agriculture (AG-40) (SJ County)	High Low Density Residential (HLD)
South	Single-family Residential	Single-family Residential (RIA) (Ripon)	Low Density Residential (LD)
East - County	Row Crops	General Agriculture (AF-40) (SJ County)	High Low Density Residential (HLD)
East - City	Single-family Residential	Single-family Residential (RIA) (Ripon)	Low Density Residential (LD)
West	Single-family Residential	Single-family Residential (RIA) (Ripon)	Low Density Residential (LD)

2.2 *Project Description*

The Proposed Project is comprised of two (2) complete parcels and portions of two (2) other parcels totaling 17.19± acres located at the northeast corner of North Ripon Road and E. Boesch Drive. As discussed above, the project site is bordered by almond orchards and one (1) single-family home to the north, John Roos Avenue and row crops to the east, E. Boesch Drive to the south and N. Ripon Road to the west. The project is located outside of the City of Ripon limits, but is surrounded on three (3) sides by City limits and located within the City's adopted Sphere of Influence.

The Project consists of the following entitlements:

- Pre-Zone;
- Annexation;
- Tentative Subdivision Map; and,
- Development Agreement.

As stated previously, the above entitlements were approved by Ripon City Council on March 10, 2020 (Resolution 20-13), including authorization for Staff to submit an application to LAFCO for the annexation of the project area. The project site has an existing General Plan 2040 Land Use Designation of High Low Density Residential (HLD) which allows for a maximum seven (7) dwelling units per gross acre (du/ac).

Pre-Zone

The project site is located within the unincorporated area of San Joaquin County. The current zoning for the property is Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40). The applicant is proposing to pre-zone the project site to R1U (Single Family Residential Urban) which includes a mixture of Single-Family Residential (R1) lots, Single-family Residential – Large (R1-L) lots, Single-family Residential – Custom (R1-C) lots, and Limited Multiple Family (R3) lots. The R1U zoning allows for a variety of lot sizes intermixed throughout the project. A Zoning Exhibit is included in this Plan for Services as Figure 2.

Annexation

The Proposed Project includes an Annexation of approximately 17.19± acres into the City of Ripon. As discussed above, the project site is adjacent to the City of Ripon limits on three (3) sides and is within the City's Sphere of Influence (SOI) and General Plan 2040 area (Milgeo Planning District). According to the City's Municipal Service Review (MSR), adopted by SJ LAFCo in 2018, the project site is within the City's 10-year Planning Horizon (SOI). The Annexation Exhibit is included in this Plan for Services as Figure 1.

Tentative Subdivision Map

As noted above, the Proposed Project includes the subdivision of two (2) complete properties and portions of two (2) other properties that are 17.19± acres in size (APNs: 261-210-08, 261-210-09, 261-210-03 and 261-210-20) into forty-seven (47) single-family residential lots for a gross density of 2.88 dwelling units per acre (du/ac). A remainder lot is included (Lot 48) to preserve an existing single-family residential unit and associated accessory structures. Four (4) of the forty-seven (47) lots are to be offered as affordable housing units. The proposed project will also include the demolition of one (1) existing residential home, a barn, an existing well and an abandonment of an existing septic tank. The proposed project will include a variety of lot sizes, with a minimum lot size of 5,500 square feet and maximum of 15,500 square feet. The Tentative Subdivision Map (TSM), Topography Map, Dimension Plan, and Utility Plan are included in this Initial Study as Figure 3.

Primary access to the project site will be provided via installation of new streets (Pleasant Bay Drive, Drive A and Drive B) within the subdivision, extension of John Roos Avenue along the eastern border of the project site and construction of Shasta Avenue, which per the City's General Plan 2040, will eventually extend to the east and west (connecting to the existing Shasta Avenue to the west). According to the TSM, the widening of John Roos Avenue to sixty (60) feet of right-of-way will include thirty (30) feet of right-of-way acquisition from the property to the east (identified as having an Accessor Parcel Number of 261-210-03). In addition, construction of Shasta Avenue (seventy-four (74) feet of right-of-way) along the northern border of the project site will include the acquisition of thirty-seven (37) feet of right-of-way from the property to the north (identified as having an Accessor Parcel Number of 261-210-20). The full right-of-way of John Roos Avenue and Shasta Avenue is included in this Annexation proposal.

Domestic water will be provided to the Proposed Project via connecting to an existing water line in North Ripon Road, Boesch Drive, and John Roos Avenue, which will provide water services to lots fronting those roadways. The water line will extend through Pleasant Bay Drive, Drive A and Drive B to serve the subdivision and will also be extended along John Roos Avenue and Shasta Avenue.

Sanitary sewer services will be provided to the Proposed Project via connecting to existing sanitary sewer lines in North Ripon Road, Boesch Drive and John Roos avenue. Sanitary sewer lines will be extended through the subdivision streets and north along John Roos Avenue and then to Shasta Avenue. As discussed above, according to project plans, an existing septic tank will be abandoned and removed as part of the development of this project.

Storm water services are to be provided by the City of Ripon and development of the Proposed Project will include necessary connections to the existing storm water system in this area. The Proposed Project includes connection to the existing 18" storm drain line in Boesch Drive and a 30" storm drain line in John Roos Avenue.

The Proposed Project also includes an extension of the John Roos Avenue storm drain line north and to Shasta Avenue. Five (5) private irrigation gate structures, located on the northern border of the project site, are to be relocated.

Development Agreement

The Proposed Project includes a Development Agreement to memorialize the Tentative Map life, Public Facilities Fees, extension of City services to the subdivision and an agreement between the applicant and the Central Valley Farm Trust for 1:1 agricultural mitigation.

FIGURE 2

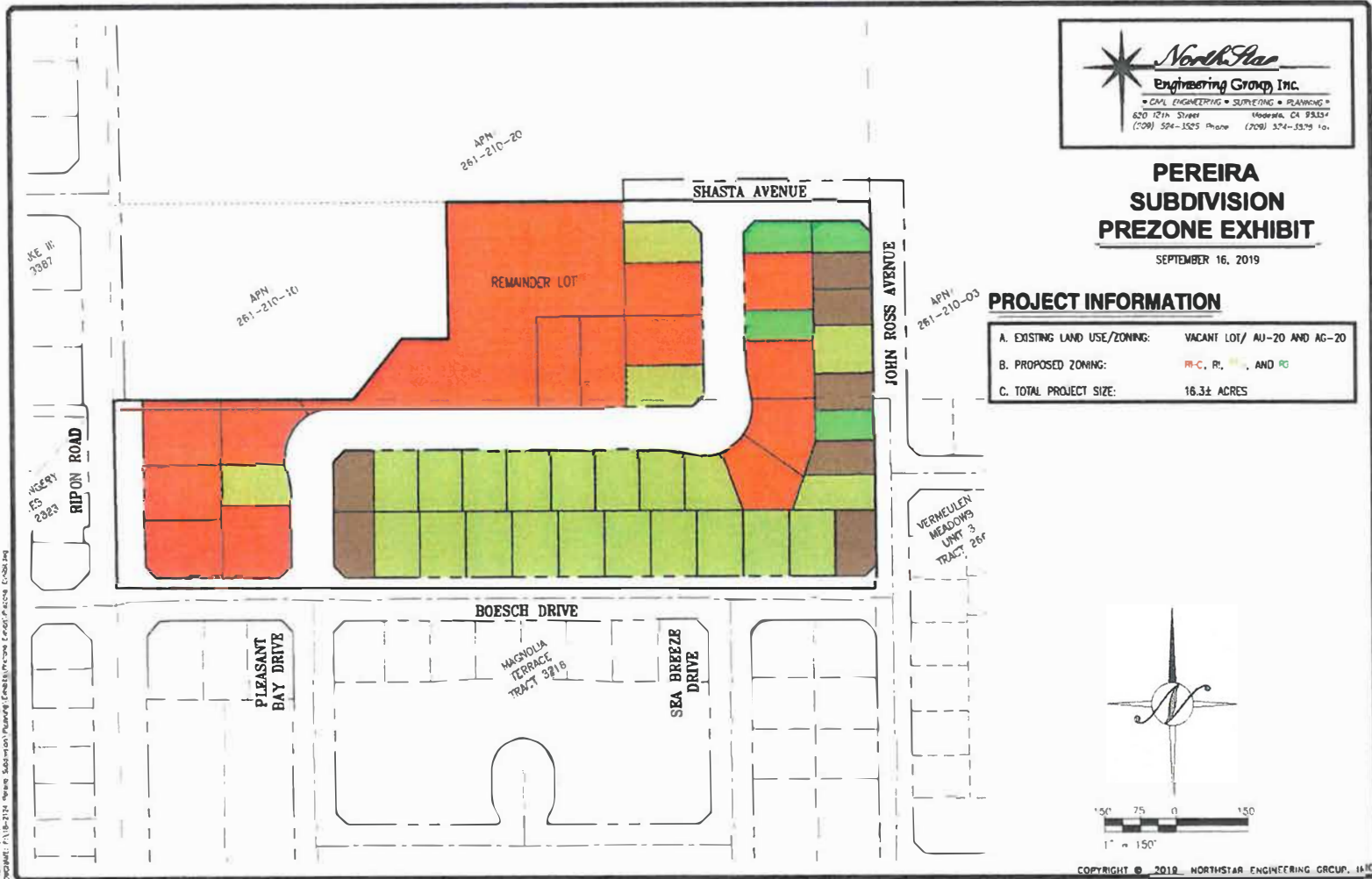


FIGURE 3

**PEREIRA RESIDENTIAL SUBDIVISION
TENTATIVE SUBDIVISION MAP
RIPON, CALIFORNIA**

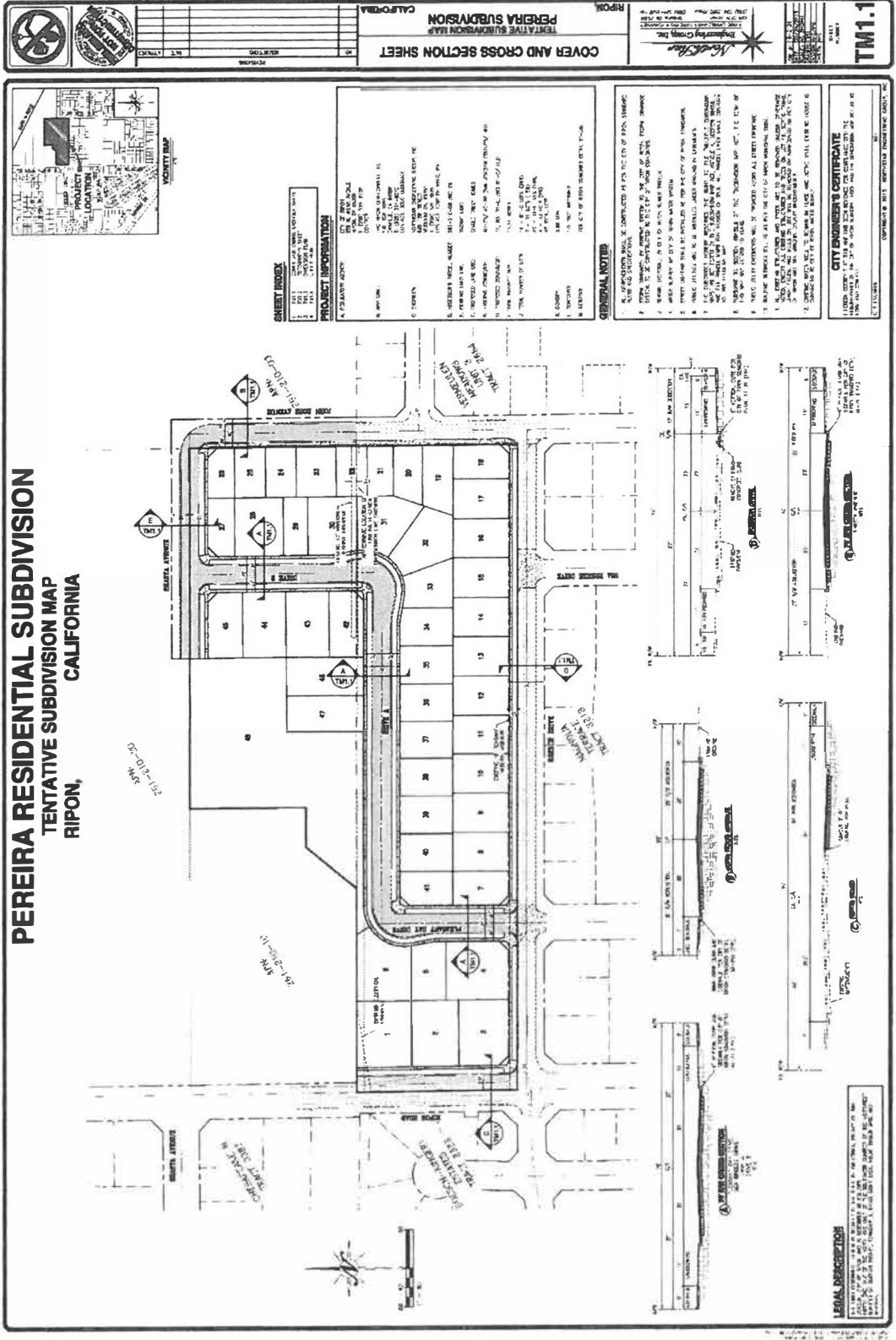
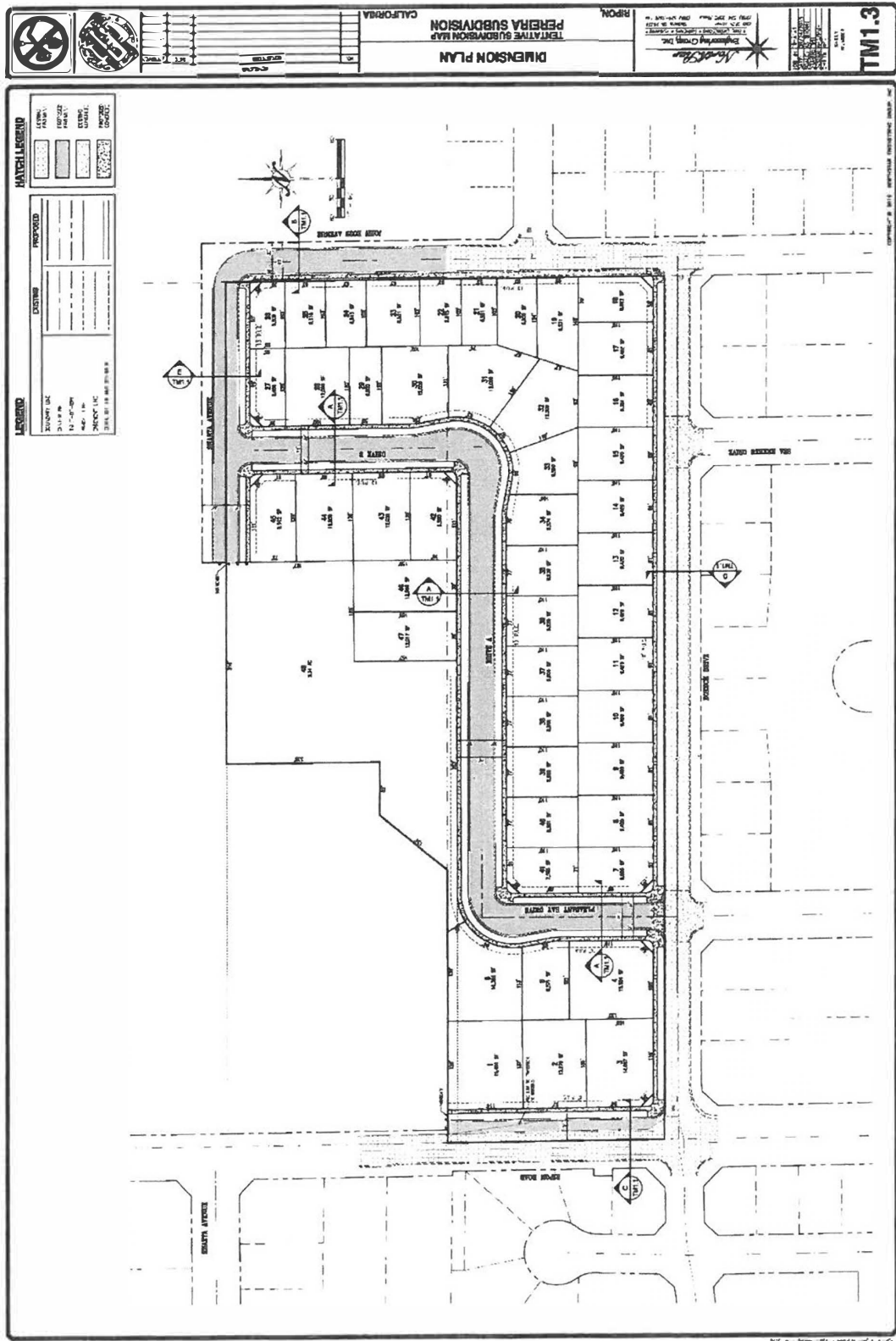


FIGURE 3



3.0 *Plan for Providing Enhanced City Services*

3.1 **Public Services**

3.1.1 **Fire Protection & Emergency Services**

The Proposed Project is within the service area of the Ripon Consolidated Fire District (Fire District). The Fire District currently maintains three (3) facilities and is the fire service provider for all of Ripon City Limits as well as rural areas. The Fire District operates from one (1) manned facility, the Fire District's main station located at 142 South Stockton Avenue.¹ According to Google Maps, the Fire District's main station is located 1.5 miles from the project site utilizing existing roadways (i.e. Google directions). As discussed in the Project Description above, the Proposed Project is located outside of the City of Ripon City Limits and the proposed annexation includes two (2) properties and portions of two (2) other properties currently located within San Joaquin County, north of Boesch Drive, east of North Ripon Road and west of John Roos Avenue. Additionally, the annexation area is contiguous with the existing City boundary located along the east, south and western edge of the Project site.

The Fire District has two (2) unmanned facilities, one (1) located within current city limits at the northwest intersection of North Ripon Road and East River Road (1705 N. Ripon Road) and the other located outside of the current City Limits and SOI along the 18800 block of South Murphy Road. The Fire District main station, located at 142 S. Stockton Ave., provides fire prevention and firefighting service, paramedic and emergency medical technician service, hazardous materials (hazmat) response, urban search and rescue (USAR), and water rescue. Activation of the unmanned stations is contingent upon future funding sources, such as a special tax or levy and State and Federal Grants; none are proposed at this time.

The District's main station has a wide variety of equipment, including four engines, one ladder truck, one rescue truck, one brush unit, one 3500-gallon water tender, two medic/ambulance vehicles and a rescue boat. The Fire District's participation in mutual aid agreement provides access to four additional 3000-gallon water tenders from neighboring districts.

The Fire District offers the following services:

- Fire;
- Medical;
- Hazardous Materials;
- Urban Search and Rescue (USAR);
- Water Rescue; and

¹ Phone correspondence with Fire District Administrative Assistant Kathy Sikma, at 2:00pm on April 24, 2020.

- Fire Prevention.

The Fire District Insurance Services Office (ISO) Public Protection Classification Program currently rates the Ripon Consolidated Fire District as *Class 3* within the city limits², on a scale of 1 to 10, with 1 being the highest possible protection rating and 10 being the lowest. The ISO rating measures individual fire protection agencies against a Fire Suppression Rating Schedule, which includes criteria as facilities and support for handling and dispatching fire alarms, fire-alarm response and initial attack, and adequacy of local water supply for fire-suppression purposes. The ISO ratings are used to establish fire insurance premiums.

The Fire District budget covers current staffing levels, operations, and maintenance of the fire station and equipment. The Proposed Project will provide additional revenue to the Fire District in the form of one-time fire fees paid at the time of development and on-going revenue in the form of increased property taxes, to support additional staff, facility costs, and equipment.

Development of the Proposed Project will require payment of all applicable fire service fees and special assessments required to fund its fair share of the Ripon Consolidated Fire District. The current Fire District Impact Fees are \$3,218.48 per dwelling unit as of 2020 and are paid at Building Permit issuance. According to Fire Chief/Fire Marshal Dennis Bitters, the project proponent has entered into a Mitigation Agreement with the Fire District for additional development impact fees (supplemental fire facility fee) to be paid at Building Permit issuance. Therefore, the Proposed Project will not have a significant impact on the Fire District.

In addition, all development is required to conform to the California Fire Code, the California Building Code, fire flow standards, and other applicable requirements.

The City of Ripon General Plan 2040 includes policies that support the Fire District's continued provision of adequate facilities and staffing levels. Relevant Policies with respect to the Proposed Project include the following:

- Policy D3** Require that new construction of new roads and streets be adequate as to width and turning radius to simplify access by firefighting apparatus. Plans for new streets will be submitted for review and comments to the Ripon Consolidated Fire District.
- Policy D4** All development will be required to meet the minimum fire flow rates specified by the City's Fire Code.
- Policy D5** Enforce building and fire codes and City ordinances regarding fire protections.

² Phone correspondence with Fire District Ambulance Billing/CQI Coordinator Brenda Lange, at 1:40pm on April 24, 2020.

Policy D6 Support the Ripon Consolidated Fire District in the establishment and adjustment of fees and/or funds collected from new development for capital facilities, apparatus, and equipment required to mitigate the impact of new growth.

According to Fire Chief/Fire Marshal Dennis Bitters, the Fire District maintains a goal for the initial company of firefighters to arrive on scene for fire and emergency medical service (EMS) incidents within five (5) minutes 90% of the time (Response Effectiveness). The District's main station provides primary response to all calls within the City limits. According to Mr. Dennis Bitters, the response time from the main station to the project site is between 4 ½ and 5 minutes, based on a recent call-for-service in the City of Ripon city limits, which exceeds the District's five (5) minutes emergency response time.³ The Fire District operates over an approximately 55 square mile area and as such, District wide (areas outside of the City of Ripon City limits), the overall response time is 8:57 minutes and does not include call (dispatch) time and turnout time. As stated above, the Proposed Project is located adjacent to City Limits on three (3) sides and is within the service area of the Fire District and will be served by the Ripon Consolidated Fire District main station, which is located 1.5 miles to the south. The Proposed Project, once annexed, will continue to be served by the Fire District and no detachment is suggested as part of this Project.

3.1.2 Police Protection Services and Animal Services

Police protection and Animal services in the City of Ripon is provided by the Ripon Police Department. The Police Department operates out of its headquarters located at 259 North Wilma Avenue. The Animal Services Unit operates from its location at 444 Doak Boulevard. The Police Department is organized into two divisions: The Operations Division and the Support Services Division. Both divisions operate out of the Police Department Headquarters located at 259 North Wilma Avenue.

The Police Department classifies call for service as priority 1, priority 2 or priority 3. Priority 1 calls are calls where a threat is posed to life or is a crime of violence. Priority 2 calls are calls for service where there is an urgency or suspicious behavior. Priority 3 calls are calls for service where no emergency or serious problem is involved. The averages for the department's response times for 2016 for the three (3) priorities are listed below:

- Priority 1 calls: 4 minutes and 47 seconds
- Priority 2 calls: 4 minutes and 27 seconds
- Priority 3 calls: 4 minutes and 12 seconds

The Police Department staff, operations, and equipment are funded primarily through the City's General Fund. Facilities are funded through the General Fund and through the City's Public Facility Financing Plan, which includes fees for residential

³ Phone correspondence with Fire Chief/Fire Marshal Dennis Bitters, at 10:45 am on June 16, 2020.

development and non-residential development that are collected at the time of building permit issuance.

The Ripon Police Department currently has twenty-four (24) sworn officers. In addition, the Police Department also had one (1) Reserve Police Officer, six (6) Police Dispatchers, two (2) Community Service Offices, one (1) Information and Technology Administrator, one (1) part-time Information and Technology Assistant, two (2) part-time Animal Control Officers, and two (2) part-time Animal Shelter Helpers.

Staffing levels are assessed by the City on an annual basis, based on a variety of factors including response times for the three (3) priorities listed above. With a population of 15,930 as of 2020 (Department of Finance, January 1, 2020), the City of Ripon's twenty-four (24) police officers equate to a police officer staffing level of 1.5 officers per 1,000 residents. As stated in the Project Description, the Proposed Project includes the annexation and development of forty-seven (47) single-family residential units. This equals a population increase of 138 residents, not including the existing residence on the project site (Lot 48). Including the existing single-family dwelling unit, an estimated population of 141 residents are proposed to be annexed into the City of Ripon. With a population of 16,071 (15,930 + 141), the City's twenty-four (24) police officers equate to a police staffing of 1.49 officers per 1,000, just below the City's 'target' ratio of 1.5 sworn officers per 1,000 residents (Policy F1).

The Police Department staff, operations, and equipment are funded primarily through the City's General Fund. Facilities are funded through the General Fund and through the City's Public Facility Financing Plan, which includes fees residential development and non-residential development that are collected at the time of building permit issuance. The FY 2018-2019 budget for the Police Department was \$6,742,803 and the FY 2019-2020 budget is \$6,557,258, which is expected to cover the current staffing levels.

According to Police Chief Ed Ormonde, the Police Department has operated within the budget and the draft FY 2020-2021 budget includes no cuts to staffing levels and includes increased funding for operating expenses. The Chief also stated that he has no concerns on providing service to this project including patrolling and responding to calls for service. The Police Department will be able to absorb the estimated additional residents (141).⁴

3.1.3 Road Maintenance

Currently, road maintenance within the vicinity of the Proposed Project Area is provided by the City of Ripon. All roads in the direct vicinity of the Proposed Project Site (North Ripon Road, East Boesch Drive, and John Roos Avenue) are located within the City of Ripon and are maintained by the City.

⁴ Phone correspondence with Police Chief Ed Ormonde, at 10:15 am on June 19, 2020.

All internal roadways within the Proposed Project Area will be dedicated to the City of Ripon. The City of Ripon will use local and regional funds to maintain roadways throughout the project site and throughout the project area.

The Proposed Project will also be required to pay a Public Facilities Fee for Transportation which is charged to provide for the necessary improvements to the transportation system that is needed to support new growth.

In addition, the Proposed Project will be required to pay the San Joaquin County Regional Transportation Impact Fee (RTIP), which is a county-wide, multi-jurisdictional capital improvement funding program intended to cover a portion of the costs for new transportation facilities required to serve new development within the County. The funding derived from the RTIP program is used in combination with other funding available to complete needed transportation and transit improvements.

3.1.4 Solid Waste Service

According to the City's General Plan 2040 Environmental Impact Report (EIR), the Foothill Landfill handles the solid waste and recycling collection for the City of Ripon. The City also has a diversion rate of over 60% in compliance with Assembly Bill 939 (AB 939) and the City's Source Reduction and Recycle Element through its various recycling and waste diversion practices. According to the City's EIR, the Foothill Landfill has adequate capacity for Ripon's projected quantity of waste, including the Proposed Project.

3.1.5 General Government Services

Currently, existing governmental services, including issuance of building permits and inspections, enforcement of zoning regulations and similar development services are provided to the project area by San Joaquin County. All County services are provided out of the various offices located in Stockton.

Upon annexation, the subject properties would be under the jurisdiction of the City of Ripon, including enforcement of building and zoning codes.

3.1.6 Parks & Recreation

The City of Ripon requires new development to pay a Public Facilities Fee upon Issuance of a Building Permit. As a part of the Public Facilities Fee the City includes a Parks Fee, which is imposed to new development so that the parks system can be expanded or improved as new growth is added to the City.

3.1.7 Library Services

The City of Ripon requires new development to pay a Public Facilities Fee upon issuance of a Building Permit. As a part of the Public Facilities Fees the City includes

a Library Fee, which is charged to pay for expansion and improvements to the library that are needed to support new growth.

3.1.8 School Services

The Ripon Unified School District provides services to the City of Ripon and a portion of unincorporated areas of San Joaquin County. The District will continue to provide educational services to students who reside within the City of Ripon. All future construction within the Proposed Project will be required to pay the applicable development impact school fees.

3.2 Infrastructure & Utilities

Domestic water is currently provided by on-site wells. Existing residents use septic or leach fields for sewer. Existing storm water drainage is handled on-site via on-site percolation. Pacific Gas and Electric currently provides electricity and gas service to the area. The following is a summary of the proposed infrastructure systems that will be constructed, in order to support the proposed annexation area. More detailed information regarding infrastructure improvements can be found in the associated Mitigated Negative Declaration.

The Utility Plan is included in this Plan for Services as Figure 4 and illustrates the improvements associated with full build-out of the Proposed Project.

3.2.1 Wastewater

Sewage effluent generated by the Proposed Project will be served by the City of Ripon. The City provides wastewater collection and treatment of the incorporated area of the City of Ripon. Wastewater is collected from nearly all portions of the City and routed to the City's wastewater treatment facility (WWTF), located in the vicinity of the Stanislaus River. The City's WWTF was constructed in the 1970s, with major expansion occurring in the 1990s. The City's WWTF is currently permitted under the State Water Resources Control Board (SWRCB) Waste Discharge Requirements (WDR) program, as administered by the Central Valley Regional Water Quality Control Board (RWQCB). The Ripon WWTF currently operates under WDR Order No. 94-263, which originally contained a flow discharge limit of 1.4 million gallons per day (MGD), with the ability to increase discharges in the future to 2.34 MGD, pending RWQCB approval. According to the City's MSR, the latest permit revision (2008) increased the average discharge rate to 1.8 MGD. From a physical standpoint, the current treatment configuration of the WWTF allows for a maximum treatment capacity up to 1.5 MGD.

In 2017, the annual average daily municipal wastewater flow was approximately 1.0 MGD, which is equivalent to approximately 64 gallons per capita per day. The City has a Sewer Master Plan for expansion of the sewer system to meet the present and future demands of the City. Expansion of the necessary wastewater infrastructure,

including potential expansion of the WWTF, would be paid through Public Facilities Financing Plan (PFFP) Wastewater Fees. The Proposed Project will connect to the City's wastewater treatment system and extend the sanitary sewer lines to serve the subdivision. The development will be required to pay applicable PFFP fees, including the Wastewater Fees.

The Proposed Project will connect to two (2) existing 12-inch Sewer Lines located in Boesch Drive and John Roos Avenue. The connection will extend via new 12-inch Sewer Lines throughout the internal streets of the Proposed Project. The City of Ripon has an average daily maximum flow of 1.0 MGD with the capacity of 1.4 MGD; with additional mechanical treatment, the average capacity could be increased up to approximately 2.3 MGD according to the City's Municipal Service Review. The Proposed Project includes forty-eight (48) single family residential lots. The average output per capita is approximately 64 gallons per day. The average total output of the Proposed Project, as a whole, is 3,072 gallons per day (gpd). The projected average daily wastewater flow (MGD) in 2020 and 2030 according to the City's Municipal Service Review is 1.2 and 1.3 MGD, respectfully. An increase of the 3,072 gpd, which represents 0.24 percent of the City's Average Daily Wastewater Flows, would not result in a need to increase the current capacity of the City of Ripon Wastewater Treatment Plant. The current sewer system has the capacity to serve the Proposed Project without adverse impact.

3.2.2 *Water*

The City provides potable and non-potable water supplies to all users within the City's municipal service area through its own water distribution system. All potable water in Ripon is provided by the city entirely from groundwater wells, although water can be said to be conjunctive in that irrigation water purchased from the South San Joaquin Irrigation District (SSJID), as well as treated industrial water, supplements the natural recharge of the groundwater. The City receives untreated raw water from SSJID through the SSJID irrigation distribution system. According to the City's UWMP, the surface water received from SSJID is used for groundwater recharge. Groundwater recharge helps the replenishment of the aquifer, reassuring groundwater is available for future City use. The SSJID water does not enter the City's distribution system so the volumes are not considered in per capita use calculations. The city has eight (8) operational wells; two (2) are located on the west side of highway 99 and six (6) on the east side. The projected city potable and non-potable water supply is 19,010-acre feet per year (afy) in 2020, 22,348 afy in 2025 and 35,521 afy in 2040. According to the City's Water Quality Report for 2018, the City's wells meet all federal standards as it relates to water quality. According to the MSR, the main vulnerability of the city's potable water supply would be a simultaneous loss of multiple wells due to catastrophic events such as well collapses, power outages or water quality contamination. However, the city's water supply system has multiple wells to provide flexibility and redundancy in the event one (1) or more well is out of service.

During dry year conditions, the supply of non-potable surface water from SSJID is subject to reductions. The city's contract with SSJID specifies that water purchased for non-potable uses may be reduced based on annual water supply forecasts for New Melones Reservoir.

It is anticipated that the City will continue to maintain sufficient water supplies for the Proposed Project and future development during multiple dry years. In addition, supply facilities and major distribution lines will be financed through the Water Fee established in the adopted City of Ripon Public Facilities Financing Plan, which the Proposed Project will be required to pay as part of the development. The proposed potable water connections are shown on Figure 3.

The Proposed Project will connect to two (2) existing water lines located in Boesch Drive and John Roos Avenue. The connection will extend via new 8-inch Water Lines throughout the internal streets of the Proposed Project. According to the City's MSR, adopted in May of 2018 the City of Ripon has a total average potable and non-potable water demand of 4,784 afy. The City's water distribution has a maximum capacity of 17,000 afy. The Proposed Project includes the development of forty-eight (48) lots. According to the City of Ripon General Plan 2040 a single-family residence has a peak unit water demand of 900 gallons, or 0.0027 acre feet a day. The Proposed Project would add an additional 48.39 afy of demand to the City's current average demand of 4,784 afy. According to the City's Water Master Plan, the City has sufficient supplies to serve the Proposed Project.

3.2.3 Storm Drainage

Ripon operates its own storm drainage system. The system consists of four (4) primary components: (1) limited flow to the industrial sewage lines in the industrial area of the City southwest of SR-99; (2) SSJID lines and canals; (3) facilities that gravity drain runoff directly to the Stanislaus River; and (4) facilities that drain to storm water detention ponds. One detention pond located at Mistlin Sports Park can be pumped into gravity drainage lines that flow to the Stanislaus River. This municipal drainage system is coordinated by the City through its Storm Drainage Master Plan.

The City's storm drain infrastructure includes catch basins, manholes, 7 storm outfalls directly into the Stanislaus River, approximately 49.35 acres of detention basins, 3 electrically powered pumping stations, and 44.32 miles of stormwater collection and conveyance piping. As of 2008, the City has 1,147 catch basin and 933 manholes and currently has 1,772 catch basin and 981 manholes. The City's storm drain infrastructure has expanded in proportion to the physical needs of the City.

The City anticipates that as growth within the SOI occurs, the storm systems mentioned above will continue to collect and convey storm runoff to Stanislaus River and storm drainage basins. These facilities will remain the backbone of the storm drain system and runoff collected within the city will be for the most part, conveyed into detention/recharge basins and the Stanislaus River. The City will continue to require

new development in the SOI to develop storm drains to collect and convey runoff to storm facilities such as outfalls and storm basins.

Expansion of the storm drainage infrastructure would be funded primarily through PFFP Storm Drainage Fees collected from residential and non-residential development. The City's PFFP has assigned costs to the anticipated storm drainage system improvements and establishes a set of infrastructure fees adequate to finance or serve as a basis for financing necessary improvements. The PFFP is the vehicle the City will use to provide all the needed facilities to accommodate the full buildout of the City.

The project site is 17.19 acres in size and the topography is relatively flat. The project is located 0.73 miles north of the Stanislaus River, which flows in a westerly direction, towards the San Joaquin River.

The project site is not located in a flood hazard zone (i.e. a 100 or 500-year flood zone) as identified by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Number 06077C0801F and 06077C0665F. In addition, the project site is not located within a 200-year flood zone, as identified in the 200-year Floodplain Map, dated April 28, 2016 prepared by Peterson Brustad, Inc.

As illustrated on the Vicinity Map (Submittal Item #9), the majority of the annexation area is vacant and undeveloped. The annexation area includes an existing single-family dwelling unit and associated accessory structures (Lot #48). The Proposed Project will include expansion of the City's existing storm drain system and connect to existing storm drainage lines in John Roos Avenue, North Ripon Road and Boesch Drive.

The construction of the site improvements (i.e. construction of homes, roadways, etc.) will reduce absorption rates and increase surface water runoff. Final storm drainage designs will be required to comply with City Standards and will be reviewed and approved by the City Engineer. In addition, the project proponent will be required to pay the Storm Drain Fee (\$2,738.58 per unit as of 2020) at Building Permit issuance for each unit constructed to fund City-wide storm drain improvements per the City's PFFP.

The Proposed Project will connect to existing storm drain lines in John Roos Avenue and Boesch Drive. The project would extend the existing 30" storm drain in John Roos Avenue to the corner of John Roos Avenue and Shasta Avenue and extend the 18" storm drain to the west in Shasta Avenue to serve the subdivision. An existing 18" storm drain line in Boesch Drive will serve the lots facing Boesch Drive, Ripon Road and Pleasant Bay Drive. As such, the City has the capacity to provide storm drain services to the Proposed Project. Improvements that are to be completed by the Proposed Project are consistent with the Stormwater Master Plan and as such, stormwater will not have a significant impact.

3.2.4 Electric Service

Electrical service is currently provided to the Annexation Area by Pacific Gas and Electric (PG&E). Electricity will continue to be provided to the Pereira Subdivision Project when developed by PG&E.

3.2.5 Natural Gas

Natural gas service is currently provided to the Annexation Area by PG&E. The Annexation Area will tie into existing natural gas lines located in North Ripon Road and Boesch Drive, therefore natural gas will continue to be provided to the proposed project by PG&E.

3.2.6 Communications

Telephone service, cable television service, and possibly high-speed data lines to the Annexation Area are to be provided by the appropriate utility companies. Telecommunication systems will be located underground in a joint trench with gas and electric facilities.

SJLAFCO submittal Item No. 13 – Statement of Timely Availability of Water Supply

California Government Code (GC) Section 65352.5(c) (1) through (9) sets forth specific information to be provided to LAFCo regarding a Statement of Timely Availability of Water as required by Section 56668(1). The City of Ripon has adequate water supplies to serve the Project. The information required is provided below, numbered in accordance with the referenced GC Section.

GC 65352.5(c)(1): The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.

The City of Ripon 2015 Urban Water Management Plan was adopted by Ripon City Council in November, 2017.

GC 65352.5(c)(2): The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code.

The most recent AB1600 Report for the years 2016-2017 was adopted by Ripon City Council on March 14, 2017.

GC 65352.5(c)(3): A description of the source or sources of the total water supply currently available to the water supplier by water right or contract, taking into account historical data concerning wet, normal, and dry runoff years.

GC 65352.5(c)(4): A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years.

GC 65352.5(c)(5): A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years.

GC 65352.5(c)(6): A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water supplies that are being proposed.

There are two (2) primary groundwater aquifers underlying the City of Ripon Planning Area. According to the City of Ripon General Plan, the two (2) aquifers have a combined annual recharge of 196,000 to 263,000 AF annually. Ripon's groundwater supply has historically been consistent. Nevertheless, the City has adopted and implements a Groundwater Management System to monitor and act as required to maintain the City's water supply.

Ripon's potable water was supplied by five (5) groundwater wells in 2016. The City currently has eight (8) operational wells. Two (2) are located on the west side of Highway 99 and six (6) on the east side.

These wells tap underground reserves or aquifers from approximately 125 to 450 feet below the ground surface. The City does not currently utilize these groundwater wells at full capacity.

The City is currently finalizing the design for Well #19 and will include a shallow well with a production capacity of 1,500 to 2,000 gpm and a deep production well with a capacity of 700 to 1,000 gpm. The well will be located near Mistlin Sports Park and the City is expecting to go out to bid for the construction of the Well in 2020.¹

The City of Ripon has two (2) elevated storage tanks: a 1.55 million gallon (MG) elevated water storage tank, constructed in 2002, located near the Jack Tone Interchange and a 2.5 million-gallon elevated water storage tank, constructed in 2006, located at the Mistlin Sports Park. These elevated tanks have the capacity to provide 10,000 gallons per minute (gpm). The expanded water storage is used to help meet peak hour needs and provide water pressure for fire protection. The City's piping system is designed so that, depending on demand, water can be supplied from a single well or any combinations of wells in operation at any given time. Ripon's non-potable water system provides water for irrigation and industrial users.

Annual water production in Ripon has increased from 1,067 AF in 1980 to a total of potable and non-potable well pumping of approximately 4,900 AF in 2014. According to the City's MSR, as of 2015, the City's wells have the capacity to deliver a total water supply of more than 17,000 AF.

To supply future demands, the City will continue to use its existing water supplies and will also conserve water and develop additional sources of potable and non-potable water. Future infrastructure (wells) will be financed through the City's water department. While no new or additional water rights would be needed for this infrastructure, other federal, state and local permits may be required, and would be obtained at the time of infrastructure development.

Table 4-4 of the City's MSR presented below compares existing and projected water supply in the City. Note that the only future sources of water supply considered are the City's groundwater wells and SSJID surface water supplies.

¹ Phone correspondence with Elizabeth Quicili, Engineering Supervisor, at 11:35am on May 12, 2020.

TABLE 4-4 EXISTING AND PROJECTED CITY POTABLE AND NON-POTABLE WATER SUPPLY (AFY)

WATER SUPPLY SOURCES	2014	2015	2020	2025	2030	2035	2040
City Potable Groundwater Wells	13,308	13,308	14,977	18,315	21,653	26,571	31,488
Total Potable Supply	13,308	13,308	14,977	18,315	21,653	26,571	31,488
City Non-Potable Groundwater Wells	4,033	4,033	4,033	4,033	4,033	4,033	4,033
SSJID Contracted Surface Water	2,561	2,790	3,935	5,080	6,000	6,000	6,000
Total Non-Potable Supply	6,594	6,823	7,968	9,113	10,033	10,033	10,033
Total Supplied Water (including SSJID)	19,902	20,131	22,945	27,428	31,686	36,604	41,521
Total City Supplied Water (not including SSJID)	17,341	17,341	19,010	22,348	25,686	30,604	35,521

NOTES: POTABLE SUPPLY WAS PROJECTED BY INTERPOLATION BETWEEN 2014 ACTUAL PRODUCTION, AND PROJECTED 2040 PRODUCTION. THE CURRENT CONTRACT WITH SSJID ENDS IN 2029. IT IS PROJECTED THAT THE CITY WOULD LIKELY RENEW THE CONTRACT AT THAT TIME OR OBTAIN ANOTHER NON-POTABLE WATER SOURCE. DUE TO NUMEROUS DRY YEARS IN RECENT YEARS, THE CITY ESTIMATES RECEIVING NO WATER FROM SSJID FOR THE PROJECTED YEARS.

SOURCE: CITY OF RIPON 2015

GC 65352.5(c)(7): A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category.

(A) Agricultural users, (B) Commercial users, (C) Industrial users, (D) Residential users.

The City serves a total of approximately 5,014 metered accounts (no unmetered accounts).² Of these, approximately 92.3% (4,629) are residential uses, approximately 4.2% (211) are commercial uses, approximately 2.5% (124) are multifamily uses, and approximately 0.26% (13) are industrial uses. The remaining metered accounts (37) are school and church uses. The City does not serve any agricultural users.

GC 65352.5(c)(8): Quantification of the expected reduction in total water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan.

The City has implemented server water conservation measures, including adopting a water conservation ordinance.³ The City's Urban Water Management Plan identifies a series of Demand Management Measures (DMM), also known as Best Management Practices (BMP). These measures, which are designed to maximize efficient water use and minimize wastewater, are summarized below.

² Email correspondence with Mr. Ken Zuidervaart, Director of Planning on May 6, 2020.

³ City of Ripon, Ordinance No. 508, 1992

Demand Management Measures

Waste Water Prevention Ordinances: The city has water waste prevention ordinance provisions that are enforced. Relevant provisions include:

- The City of Ripon, as a water purveyor, shall prevent water waste in areas where they provide water.
- Run off, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures shall be prohibited.
- Consumers shall not be permitted to waste water or use water to excess.

The resolutions and ordinances that make up the City's Water Shortage Contingency Plan and other applicable water waste ordinances identify penalties for water waste or violating current drought regulations. The water waste ordinances can also be found online in the Ripon Municipal Code, Title 13, Chapter 4.

Metering. In compliance with State law, the City completed the processing of placing meters on all water connections in 2017. According to the City, all of the City's accounts are metered.⁴ As stated above, the majority of the accounts represent residential uses. With the completion of metering for the City, new rate structures were put into place. This rate structure was adopted in 2015.

Water Survey Programs and Retrofits for Single and Multi-Family Residential Customers. The City will make available a water conservation coordinator to perform free water audits for residents. The purpose of an audit is threefold: 1) to identify areas of water use in and around the home; 2) to provide water conserving fixtures and identify leaks; and 3) to review outdoor landscaping requirements and make recommendations.

As part of its public information program, the City distributes educational material describing the importance of plumbing retrofits as an integral part of water conservation. Several studies suggest that water use savings resulting from miscellaneous interior retrofit fixtures can range between 25 and 65 gpd per housing unit. The studies also suggest that installation of retrofit fixtures in older single-family homes tend to produce more savings, while newer multi-family homes tend to produce lesser savings per housing unit.

Large Landscape Conservation Programs. The City has a Water Efficient Landscape Ordinance to establish a structure for designing, installing, and maintaining water efficient landscapes in new projects, and to establish provisions for water management practices and water waste prevention for established landscapes.

All existing landscaped areas to which the City provides water that are one acre or more, including green belts, common areas, multi-family housing, schools, businesses, parks, cemeteries, and publicly owned landscapes, are required to have a landscape irrigation audit at least every five years, unless the project's water bills indicate that they are using

⁴ Email correspondence with Mr. Ken Zuidervaart, Director of Planning on May 6, 2020.

less than or equal to the maximum water allowance for that project site. Recognition of projects that stay within the maximum water allowance is encouraged. The water department works with the parks department and school district to improve water use efficiency at public landscape areas.

All new and rehabilitated landscapes are required to install automatic control irrigation systems. Separate valves are required for plant groups that require different water regimes or amounts of water. Anti-drain (check) valves must be installed at strategic points to minimize or prevent low-head drainage. Heads and emitters must be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance. Rain sensing devices are required on all irrigation systems, and soil moisture sensing devices are encouraged.

The City's current Water Efficient Landscape Ordinance specifies that all new or rehabilitated landscapes must include an irrigation design plan including a dual water system to permit non-potable water and future use of recycling water, unless the City grants a written exemption. The irrigation systems must make use of non-potable water unless a written exemption is granted by the City of Ripon stating that recycled water is not available and will not be available in the foreseeable future.

Conservation Programs for Commercial, Industrial, and Institutional (CII) Accounts. In the future, the City may provide commercial and industrial water audits upon request. These audits would address the efficiency of process water use and landscape water use. The City could also review the billing records to identify the top 10 to 20 percent of commercial/industrial users and request that a water audit be conducted. It is anticipated that these audits would be coordinated and cost-shared with other agencies such as the local and regional energy utilities, air quality district, and sewer district.

GC 65352.5(c)(9): Any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.

The City of Ripon is available to provide any additional information needed to determine the adequacy of water supplies. Please do not hesitate to contact James Pease, Director of Public Works at (209) 599-2108.

**SJLAFCO Submittal Item No. 14 –
Statement of Fair Share Housing Needs**

Government Code Section 56668(m) states “the extent to which the proposal will affect a City or Cities and the County in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.”

1.1 City of Ripon Housing Element and Regional Housing Needs

The City’s 2015-2023 Housing Element was adopted by the City Council on April 12, 2016. According to the Housing Element, the City was allocated 1,480 housing units as part of the regional housing allocation process conducted by the San Joaquin Council of Governments for the 2014-2023 5th Regional Housing Needs Allocation (RHNA) cycle. The City has 194.34 acres of undeveloped land available for residential use.

The table below (Table 4-2 from the Housing Element) identifies the breakdown by income group of the 1,480 units allocated to the City for the current 5th 2014-2023 RHNA cycle. In 2015, 21 units had been constructed and an additional 99 were permitted, of which 55 were multifamily and 2 duplex units were under construction.

**TABLE 4-2: REGIONAL HOUSING NEEDS ALLOCATION
5TH RHNA CYCLE: 2014-2023**

	Extremely Low	Very Low	Low	Moderate	Above	TOTAL
2014-2023 RHNA	154	154	215	231	726	1,480
<i>Units Built (2014 and 2015)</i>	0	0	0	9	32	41
<i>Units Under Construction</i>	0	0	0	47	35	82
RHNA Remaining	154	154	215	174	660	1,357

Please note that Table 4-1: *Regional Housing Needs Allocation* only accounts for the units built for 2014 and 2015 and identifies the units under construction at the time the Housing Element was prepared (2015 and 2016).

1.2 Housing Development from 2016 - 2020

Since the adoption of the 2015-2023 Housing Element in 2016, the City has issued 273 building permits for residential development. The table below includes the units built in Table 4-2 as well as residential unit production from 2016 to 2020.

Housing Development from 2016-2020

	Extremely Low	Very Low	Low	Moderate	Above	Total
2014-2023 RHNA	154	154	215	231	726	1,480
<i>Units Built (Table 4-2 of the HE)</i>	0	0	0	56	67	123
2016	0	0	0	0	35	35
2017	0	0	0	0	29	29
2018	0	0	0	0	138	138
2019	0	0	0	0	71	71
RHNA Remaining	154	154	215	231	386	1,084

1.3 Pereira Subdivision and Regional Housing Needs

The Pereira Subdivision includes a tentative subdivision map to facilitate subdividing of approximately 17.19 acres into forty-eight (48) single-family residential lots, of which includes an existing single-family residential unit and associated accessory structures (Lot 48). Of the forty-eight (48) single-family residential lots, four (4) are proposed as affordable housing units on lots ranging in size from 5,500 sq. ft. to 6,450 sq. ft. This represents nine (9) percent of the total lots in the project. The remaining units are market-rate.

The Pereira Subdivision will contribute to the City’s RHNA as determined by the San Joaquin Council of Governments (SJCOG). The table below identifies the breakdown of the Pereira Subdivision by income group.

	Extremely Low	Very Low	Low	Moderate	Above	Total
Pereira Subdivision	0	0	0	0	48	48
Note: the existing residential unit on Lot 48 included in the tentative subdivision map is assumed to be in the above moderate-income category.						

The City’s affordable housing program requires four (4) units from the Pereira Subdivision to be sold meeting the Federal Housing Administration (FHA) lending limit requirements. The last units sold utilizing this program sold for \$379,900. The FHA lending limits for San Joaquin County is \$448,000. Based on the sale price of the last units sold meeting the FHA lending limit requirements, the proposed four (4) units from the Pereira Subdivision are categorized as Above-Moderate.