



AGENDA ITEM 9A

MEETING: July 20, 2016

TO: Humboldt LAFCo Commissioners

FROM: George Williamson, Executive Officer

SUBJECT: **Preview of Proposed Strongs Creek Valley Annexation to the City of Fortuna**
LAFCo has received a proposal filed by the City of Fortuna for annexation of 34 parcels located east of Newburg Park and within the City's sphere of influence. The Commission will receive an informational presentation from City staff regarding its annexation proposal. Representatives from the McLean Foundation will also be present. This report is being presented for information only.

BACKGROUND

LAFCo has received a proposal submitted by Resolution of Application from the City of Fortuna (Resolution No. 2016-25) for annexation of approximately 297 acres (34 parcels) of unincorporated territory, generally located east of Newburg Park and accessed by Newburg Road, Rohnerville Road, Loop Road, and Hilltop Drive. The annexation area consists of approximately 23 existing single-family residences, pasture land, forest, and vacant land.

Several parcels in the annexation area have identified service needs, either to improve services to existing residences, or to facilitate development pursuant to the City's General Plan. This includes property that has been purchased by the McLean Foundation which has plans to develop the property over the next three to five years with community-oriented uses such as senior services, recreational amenities, and other socially and economically beneficial uses.

DISCUSSION

LAFCo staff is currently reviewing the application materials and has sent a Notice of Filing to subject and interested agencies (Attachment A). An upcoming hearing will be scheduled once the application materials are deemed complete and a Certificate of Filing is issued by the Executive Officer. LAFCo staff will then mail 21-day hearing notices to property owners and registered voters within and adjacent to the annexation area.

RECOMMENDATION

Staff recommends the Commission receive and file this report and hear a presentation by the applicant.

Attachment:

Attachment A: Notice of Filing (Agency Referral)



1125 16th Street, Suite 202, Arcata, CA 95521
 (707) 445-7508 / (707) 825-9181 fax
www.humboldtlafco.org

NOTICE OF FILING

DATE: July 5, 2016

TO: Bear River Band of Rohnerville Rancheria
 Blue Lake Rancheria Tribe
 CAL FIRE Humboldt- Del Norte Unit
 Fortuna Cemetery District
 Fortuna Elementary School District
 Fortuna Fire Protection District
 Fortuna Union High School District
 Humboldt County Administrative Office
 Humboldt County Assessor's Office
 Humboldt County Auditor's Office
 Humboldt County Environmental Health
 Humboldt County Elections Office
 Humboldt County Office of Education
 Humboldt County Planning and Building Department
 Humboldt County Public Works Department
 Humboldt County Sheriff's Office
 Humboldt County Resource Conservation District
 Humboldt County Farm Bureau
 Hydesville County Water District
 Palmer Creek Community Services District
 Wiyot Tribe- Table Bluff Reservation

FROM: Colette Metz, LAFCo Administrator

SUBJECT: APPLICATION RECEIVED – CITY OF FORTUNA STRONGS CREEK VALLEY
 ANNEXATION

APPLICATION INFORMATION

Project: Proposed Strongs Creek Valley Annexation to the City of Fortuna

Location: East of Newburg Park in Fortuna (See Attachment A)

APNs: Various – 34 total parcels

Notice: The above referenced proposal has been submitted to LAFCo and this notice of filing is being issued in accordance with Government Code Section 56658(b)(1). If you wish to receive a copy of the application and supporting documents, please contact LAFCo at (707)445-7508. We request agency comments by **July 29, 2016**.

LAFCo has received a proposal submitted by Resolution of Application from the City of Fortuna (Resolution No. 2016-25) for annexation of approximately 297 acres (34 parcels)

of unincorporated territory, generally located east of Newburg Park and accessed by Newburg Road, Rohnerville Road, Loop Road, and Hilltop Drive. The annexation area consists of approximately 23 existing single-family residences, pasture land, forest, and vacant land. The subject territory is within the City's Sphere of Influence (SOI) and is located outside of the coastal zone.

The City of Fortuna circulated a Notice of Intent to Adopt a Resolution of Application on May 16, 2016, and the City Council approved a General Plan Amendment, rezoning, and submittal of the annexation application to LAFCo at a public hearing on June 6, 2016 (Resolution No. 2016-25).

Pursuant to the California Environmental Quality Act (CEQA), the City prepared an Addendum to the City of Fortuna General Plan 2030 Program Environmental Impact Report (PEIR) describing the minor and technical changes associated with the proposed project. As part of this Addendum, it was determined that the project would have no new environmental effects, would require no additional mitigation measures, and is within the scope of the PEIR prepared for the Fortuna General Plan 2030 with Addendum (Resolution No. 2016-25).

All property owners within the proposed annexation area were notified regarding the annexation proposal in July 2015. Consent was received from 21 owners of record and lack of consent was received from 4 owners of record. No response was received from 9 owners of record.

Reasons for Proposal

According to the application, the reasons for annexation are as follows:

- The Strongs Creek Valley Annexation Area is identified in the Fortuna General Plan (2030) for annexation and extension of services.
- Several parcels in the Strongs Creek Valley Annexation Area have identified service needs, either to improve services to existing residences, or to facilitate development pursuant to the City's General Plan.
- Property within the Strongs Creek Valley Annexation Area has been purchased by the McLean Foundation which has plans to develop the property over the next three to five years with community-oriented uses such as senior services, recreational amenities, and other socially and economically beneficial uses.
- The owners of vacant parcels designated for residential uses have also indicated that they are reviewing development options.
- The owners of several existing residences, particularly at the northerly end of Newburg Road, have identified water quantity and quality concerns sufficient to merit connection to City's municipal water system.

Provision of Public Services

A Plan for Services was prepared by the City of Fortuna for the proposed annexation. As contemplated, the City would immediately be responsible police services and road maintenance upon annexation. Public roads adjacent to the annexed parcels, including Newburg Road and Loop Road, are proposed to be included in the

annexation. There would be no change in fire protection services provided by the Fortuna Fire Protection District. It is anticipated that parcels within the annexation area would be re-designated from State Responsibility Area (SRA) to Local Responsibility Area (LRA), and property owners would no longer be charged the CAL FIRE SRA Fire Prevention fee. Water and wastewater services would be available to properties within the annexation area upon the extension of infrastructure. Existing infrastructure may be extended, as needed, to serve area development and/or to address water quality or capacity limitations. The cost for the extension of services would be borne by the property owner(s). The City indicates there is sufficient capacity to serve the annexation area.

Land Use Designations

Land uses within the proposed annexation area are currently subject to the Humboldt County Framework General Plan (Volume 1), Fortuna Area Community Plan (Volume II), and Zoning Regulations (Humboldt County Code Title III, Division 1). The Humboldt County General Plan currently designates 13 of the subject parcels as Agriculture Exclusive (AE), 20 parcels as Agriculture Suburban (AS), and one parcel as Timberland (T). It is important to note that the Humboldt County Draft General Plan Update has identified likely land use designations for the affected properties as Urban Reserve (13 parcels), Residential Estates with a 2.5-5 acre minimum (20 parcels), and Timberland (1 parcel).

The City of Fortuna adopted land use designations for the annexation area as part of the Fortuna General Plan 2030. A General Plan Amendment was approved by the City Council on June 6, 2016 to re-designate the land uses of two parcels (APN 200-411-015 and 200-144-018) from Residential Low Density (RL) to Public Facilities (PF). The remaining territory is designated by the Fortuna General Plan as follows: 3 parcels are designated as Residential Low Density (RL); 6 parcels are designated as Open Space (OS); 20 parcels are designated as Residential Rural (RR); one parcel is designated as Parks, Greenways and Recreation (PRK); and one parcel has split PRK and RL land use designations.

Pre-Zoning

The Humboldt County Zoning Code currently designates 13 parcels as Agriculture Exclusive with a 60-acre minimum parcel size (AE B-5(60)); nine parcels as Agriculture General (AG); 11 parcels as Agriculture General with a 5-acre minimum parcel size (AG-B-5(5)); and one parcel with split zoning as AE and Timber Protection Zone (TPZ).

The City Council approved a Pre-Zoning Ordinance (Ordinance No. 2016-725Z) for the proposed annexation area on June 6, 2016. The ordinance pre-zones 4 parcels as Residential Single Family with a 6,000 square-foot minimum parcel size (R-1-6); 3 parcels as Public Facility (PF); 6 parcels as Agriculture Exclusive (A-E); 20 parcels as Residential Estates with a 1-acre minimum parcel size (RE-43); and one parcel with split pre-zoning of PF and R-1-6.

Based on the proposed pre-zoning, the City estimates a total development potential of approximately 320 housing units (297 more housing units than currently exist), resulting in

a total potential population of 797 people (an increase of 740 people). This estimation assumes 2.49 persons per household and that the maximum projected development would be less than full build-out as specified by the City zoning regulations. Zoning regulations specify a minimum parcel size a property may be divided into, but do not necessarily account for other possible development constraints such as steep topography, wetlands, and construction of new roads. To account for possible additional constraints, the City utilized an assumed development potential which was less than the maximum allowable build-out defined by the adopted zoning regulations (see Attachment B).

Agricultural Land Use Conversion

Based on the City's pre-zoning and projected development estimates, a total of approximately 156 acres of land consisting of all or portions of 15 parcels, which are currently designated for agricultural or timber uses and/or contain prime agricultural land may be converted to residential or public uses (see Attachment B). The remaining 19 parcels will either retain their current agricultural designation or have already been fully developed to the maximum density permitted by the City zoning and are not expected to be further developed upon annexation. 10 of the 15 parcels expected to convert from agriculture/open space to urban uses have previously been divided into parcels of less than 10 acres in size, which affects the economic viability of independent agricultural uses. The remaining five parcels, totaling approximately 117 acres, consist of the following:

- 1) APN 200-411-013: a 19.19 acre parcel which has been pre-zoned to R-1-6. Assuming that there are no substantial development constraints, the site may be fully developed with a total of 76 single family residences.
- 2) APN 200-411-018: A 27.61 acre parcel which has been pre-zoned to Public Facility. This parcel is owned by the McLean Foundation. Social, recreational, educational and related uses may be developed.
- 3) APN 200-411-044: A 25.2 acre parcel which has been pre-zoned to R-1-6. Assuming that there are no substantial development constraints, the site may be fully developed with a total of 100 single family residences.
- 4) APN 202-041-005: An 11.06 acre parcel which has been pre-zoned to RE-43. Assuming that there are no substantial development constraints, the site may be fully developed with a total of 5 single family residences.
- 5) APN 202-051-002: A 34.63 acre parcel which has been pre-zoned to Public Facility (11 acres) and R-1-6 (23.63 acres). A portion of this parcel has previously been developed with residential uses. Assuming that there are no substantial development constraints, the site may be fully developed with a total of 93 single family residences.

According to the City, none of the territory is subject to a Williamson Act Contract. All of the proposed conversions from agricultural use were evaluated in the Fortuna General Plan 2030 PEIR, and 2016 Addendum.

When evaluating an annexation proposal, LAFCo must give appropriate consideration of preserving open-space and agricultural lands. When reviewing and approving or disapproving annexations the Commission must consider the following policies and priorities (G.C. §56377):

- 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.

Property Tax Sharing Agreement

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCo can consider a proposed boundary change. The proposal would apply a master property tax exchange agreement adopted by the City and the County in 1980; an agreement specifying Fortuna shall receive 21.30 percent of the County's existing portion of property tax revenues generated from the affected territory.

If you have any questions regarding this proposal or wish to request a copy of the application, please contact LAFCo at administrator@humboldtlafo.org or (707) 445-7508.

Cc: Liz Shorey, City of Fortuna

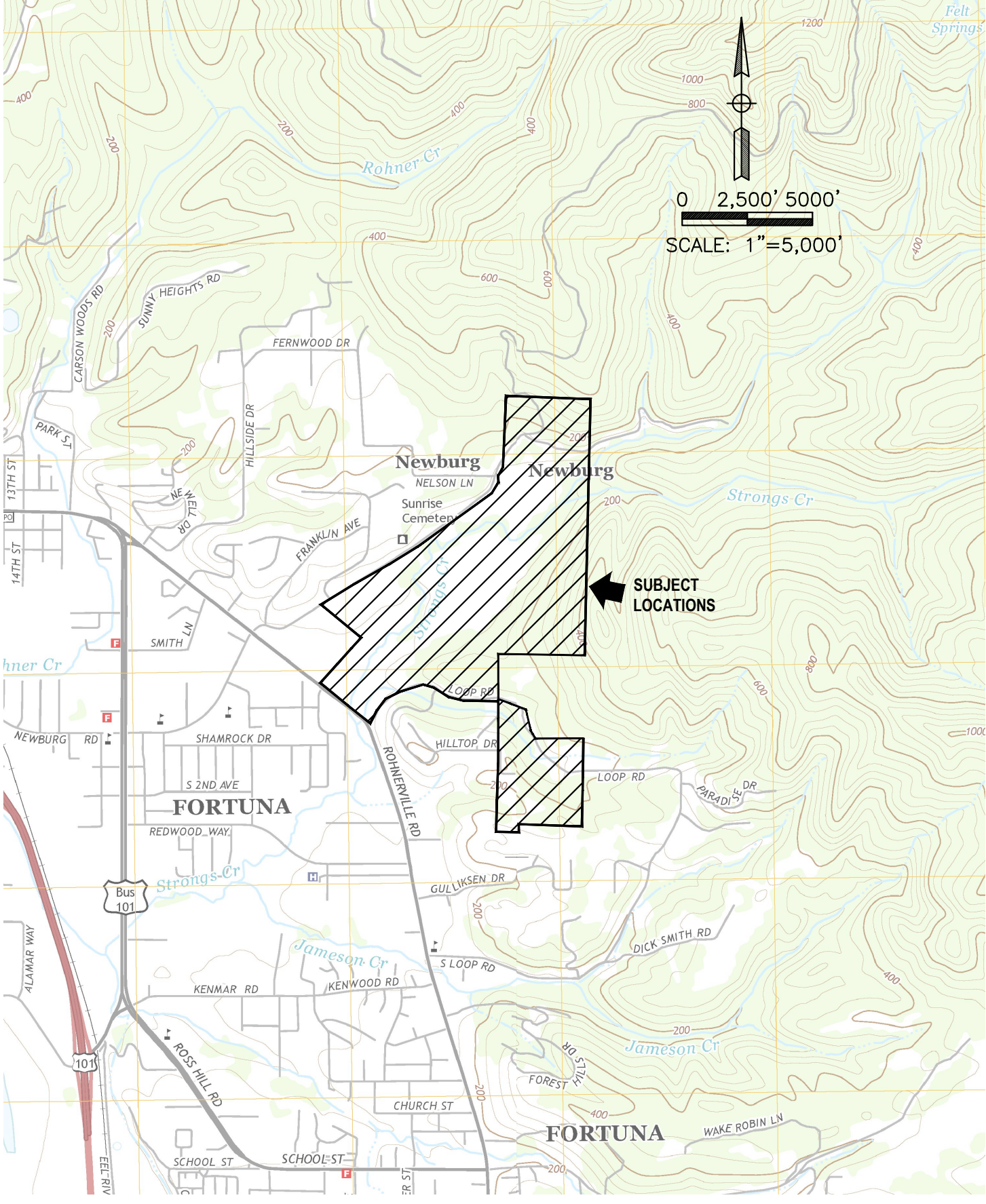
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1-800-515-5054 www.lacoassociates.com

PROJECT	STRONGS CREEK VALLEY ANNEXATION	BY	SMS/JB	FIGURE	1
CLIENT	CITY OF FORTUNA	DATE	06/11/2016	JOB NO.	7158.04
LOCATION	FORTUNA, CA	CHECK	RSR		
	VICINITY MAP				

REUSE OF DOCUMENTS: This document and the ideas and design incorporated herein, as an instrument of professional service, is the property of LACO Associates and shall not be reused in whole or part for any other project without LACO Associates express written authorization.



Jun 11, 2016 - 1:40pm
T:\Codfiles\7100\7158.04 STRONGS CREEK\DWG\ 7158.04 FIG 1 - Vicinity Map.dwg

ATTACHMENT B: Strongs Creek Annexation - Parcels, Land Use, Zoning, and Projected Development

Assessors Parcel Number (APN)	Area (acres)	Current Land Use	Existing County General Plan Land Use Designations	Current Fortuna General Plan Land Use Designations	Existing Humboldt County Zoning Code	Proposed Fortuna Pre-Zoning	Projected Development Based on Pre-Zoning
200-411-006	3.20	Pasture	AE	RL	AE-B-5(60)	R-1-6	12
200-411-013	19.19	Single Family Residence; Pasture	AE	RL	AE-B-5(60)	R-1-6	75
200-411-014	0.76	Vacant	AE	RL	AE-B-5(60)	R-1-6	3
200-411-015	1.53	Pasture	AE	PUB	AE-B-5(60)	PF	0
200-411-018	27.61	Pasture	AE	PUB	AE-B-5(60)	PF	0
200-411-028	2.64	Single Family Residence	AE	OS	AE-B-5(60)	A-E	0
200-411-029	0.99	Single Family Residence	AE	OS	AE-B-5(60)	A-E	0
200-411-034	31.23	Single Family Residence; Pasture; Forest	AE	OS	AE-B-5(60)	A-E	0
200-411-035	26.30	Pasture	AE	OS	AE-B-5(60)	A-E	1
200-411-043	34.80	Single Family Residence; Pasture; Forest	AE	OS	AE-B-5(60)	A-E	0
200-411-044	25.20	Single Family Residence; Pasture; Forest	AE	RL	AE-B-5(60)	R-1-6	99
200-431-002	0.32	Single Family Residence	AS	RR	AG	RE-43	0
200-431-004	0.45	Single Family Residence; Forest	AS	RR	AG	RE-43	0
200-431-005	0.31	Single Family Residence	AS	RR	AG	RE-43	0
200-431-008	0.37	Single Family Residence	AS	RR	AG	RE-43	0
200-431-010	1.49	Single Family Residence; Forest	AS	RR	AG	RE-43	0
200-431-019	24.56	Forest; Access Trails	T	OS	TPZ & AE	A-E	1
200-431-021	3.15	Single Family Residence; Pasture	AS	RR	AG	RE-43	0
200-431-030	2.14	Single Family Residence; Pasture; Forest	AS	RR	AG	RE-43	0
200-431-031	2.51	Single Family Residence; Pasture; Forest	AS	RR	AG	RE-43	0
200-431-032	1.59	Single Family Residence; Pasture	AS	RR	AG	RE-43	0
202-041-005	11.06	Forest; Pasture	AS	RR	AG-B-5(5)	RE-43	5
202-041-007	6.88	Single Family Residence; Pasture	AS	RR	AG-B-5(5)	RE-43	2
202-041-008	4.00	Pasture	AS	RR	AG-B-5(5)	RE-43	2
202-041-011	3.84	Single Family Residence; Forest	AS	RR	AG-B-5(5)	RE-43	0
202-041-012	7.14	Single Family Residence; Pasture; Forest	AS	RR	AG-B-5(5)	RE-43	2
202-041-016	1.28	Pasture	AS	RR	AG-B-5(5)	RE-43	1
202-041-018	0.85	Forest	AS	RR	AG-B-5(5)	RE-43	1
202-041-020	0.46	Single Family Residence	AS	RR	AG-B-5(5)	RE-43	0
202-041-021	3.13	Single Family Residence; Pasture	AS	RR	AG-B-5(5)	RE-43	0
202-041-026	0.56	Single Family Residence	AS	RR	AG-B-5(5)	RE-43	0
202-041-027	5.29	Single Family Residence; Forest	AS	RR	AG-B-5(5)	RE-43	1
202-051-002	34.63	Single Family Residence; Pasture; Forest	AE	PRK (11 acres); RL (23.63 acres)	AE-B-5(60)	PF (11 acres); R-1-6 (23.63 ac)	92
202-051-008	7.73	Pasture	AE	PRK	AE-B-5(60)	PF	0
Totals:	297.19						297

KEY	Fortuna Annexation Development Potential Estimation Parameters		
County General Plan Land Use Designation	City Zoning District	City Zoning Development Regulation	Projected Development Estimated by City
AE- Agricultural Exclusive	A-E	Agriculture Exclusive	No subdivision possible; Minimum 4 acre lot size
AS- Agricultural Suburban	PF	Public Facility	Residential development requires a permit
T- Timberland	R-1-6	Residential Single Family	6,000 sq ft min. parcel size
	RE-43	Residential Estates	1 acre min. parcel size
			1 single-family residence per 20 acres
			No residential uses
			4 single-family residences per acre
			1 single family residence per 2 acres
Fortuna General Plan Land Use Designation			
OS- Open Space			
PRK- Parks, Greenways & Recreation			
PUB- Public			
RL- Residential Low Density			
RR- Residential Rural			
Humboldt County Zoning Code			
AE- Agriculture Exclusive			
AE-B-5(60)- Agriculture Exclusive – 60 acre minimum parcel size			
AG- Agriculture General			
AG-B-5(5)- Agriculture General – 5 acre minimum parcel size			
TPZ- Timber Protection Zone			
Fortuna Pre-Zoning			
A-E Agriculture Exclusive			
PF Public Facility			
R-1-6 Residential Single Family – 6,000 sq ft minimum parcel size			
RE-43 Residential Estates – 1 acre minimum parcel size			