



LOCAL AGENCY FORMATION COMMISSION
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January 31, 2007

To: Commissioners

From: Carole L. Cooper, Assistant Executive Officer

Subject: Final Action: File No. 06-11: Rohnert Park Reorganization No. 06-1 (University District) Involving Annexation to the City of Rohnert Park and Detachment from Rancho Adobe Fire Protection District and County Service Area No. 41 (Multi-Services)

Background

In October 2006, the City of Rohnert Park submitted an application for reorganization of 17 parcels, totaling approximately 354 acres, largely undeveloped territory, generally located east of Snyder Lane, west of Petaluma Hill Road, south of Keiser Avenue and north of Sonoma State University. The majority of the territory is encompassed within the University District Specific Plan and would be developed for a variety of uses, including residential, open space and parks, and commercial. Upon annexation to the City, the territory would be detached from the Rancho Adobe Fire Protection District and County Service Area No. 41 (Multi-Services). All owners of property within the proposed annexation boundaries provided their written consent to annexation. The territory is considered "uninhabited," in accordance with the Cortese-Knox-Hertzberg Act, since fewer than 12 registered voters reside within.

At its meeting of December 13, 2006, the Commission heard testimony on the proposal during a public hearing and then closed the public hearing. Subsequently, the Commission approved the proposal in a 7-0 straw vote and directed staff to return at the February meeting with a resolution for final Commission action on the Consent Calendar.

Current Status

In accordance with Commission direction, LAFCO staff and legal counsel, working with counsel for the applicant, have prepared a resolution for final Commission action on the proposed reorganization. As directed by the Commission, the resolution (*Attachment 1*) includes references to amendment of the annexation boundaries for a segment of Snyder Lane, from Keiser Avenue to Moura Lane. *Attachment 2* shows a map of the affected territory.



The Commission conditioned its approval on formalizing an agreement on regional traffic mitigation before a certificate of completion for this proposal is recorded. Over the last several weeks, staff from the City, Sonoma County Transportation Authority (SCTA), and County Permit and Resource Management Department and Transportation and Public Works Department have worked diligently with LAFCO staff to develop an agreement that would satisfy the Commission's condition and meet the parties' needs to work cooperatively in funding and managing regional traffic projects. With the concurrence of County staff, it was determined that parties to the agreement would be the City and SCTA. The Rohnert Park City Council approved the agreement at its meeting on January 23, 2007, and the SCTA board is scheduled to consider it at its meeting of February 5, 2007. LAFCO staff will report on the SCTA board action at the Commission's February 7 meeting. The proposed agreement is attached for Commissioners' information (*Attachment 3*).

Rancho Adobe Fire Protection District Action

Prior to and at the Commission's public hearing on the proposal, representatives of the Rancho Adobe Fire Protection District indicated the District's opposition to the reorganization, due to projected loss of revenue the affected territory be detached from the District. The Commission took no action on this issue. Since that time, the City made a monetary offer to the District, which the District rejected. No agreement has been reached between the parties. (See *Attachment 4* – January 16, 2007, letter from the City to the District; *Attachment 5* - January 18, 2007, letter from the District to the City; and *Attachment 6* – January 25, 2007, letter from the City to LAFCO).

Protest Proceedings

In a situation in which all property owners in uninhabited territory provide their written consent to a reorganization, the Cortese-Knox-Hertzberg Act allows the Commission to waive protest proceedings, but only if no subject agency, which might be affected by the change of organization, has submitted written opposition to the waiver. On January 17, 2007, the Rancho Adobe Fire Protection District board of directors approved a resolution (*Attachment 7*) opposing LAFCO's waiver of protest proceedings.

As a result of this action and based on statutory requirements, the Commission must conduct protest proceedings for the subject proposal. Notice of proceedings for uninhabited territory must be provided to all landowners owning land within the affected territory; notice is also required to each affected city, district, and county, proponents, and persons requesting special notice. For uninhabited territory, the right of protest is restricted to owners of land within the annexation boundaries.

Recommendation

Staff recommends that the Commission approve the resolution reflecting its straw vote action incorporating the following:



- a. Approve the proposed reorganization, pursuant to findings and subject to the condition that the Sonoma County Transportation Authority and the City of Rohnert Park shall enter into an agreement for disposition of regional traffic mitigation funds from the University District project prior to recordation of a certificate of completion for this proposal.
- b. Certify review and consideration of the information in the Final Environmental Impact Report, prepared by the City of Rohnert Park and certified by the City Council, and the Addendum to the Final EIR prepared for this proceeding by the Environmental Review Division of Sonoma County Permit and Resource Management Department for LAFCO; make findings required of a responsible agency under the provisions of CEQA; adopt a statement of overriding considerations; and direct staff to file a notice of determination in accordance with CEQA and the state CEQA Guidelines.
- c. Notice and conduct protest proceedings, pursuant to Government Code section 57000 et seq., since a subject agency has submitted written opposition to a waiver of such proceedings.

Attachments

1. Proposed Resolution
2. Map
3. Proposed Agreement between City of Rohnert Park and Sonoma County Transportation Authority
4. January 16, 2007, letter from City of Rohnert Park to Rancho Adobe Fire Protection District
5. January 18, 2007, letter from Rancho Adobe Fire Protection District to City of Rohnert Park
6. January 25, 2007, Letter from City of Rohnert Park to Sonoma LAFCO
7. January 17, 2007, resolution of Rancho Adobe Fire Protection District Board of Directors