



**COMMUNITY DEVELOPMENT  
AND RESOURCES  
COMMISSION  
OF THE  
CITY OF ATWATER**

**RESOLUTION NO. 030-17**

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER RECOMMENDING THAT THE CITY COUNCIL INITIATE ANNEXATION PROCEEDINGS FOR 358.79 ACRES GENERALLY BOUND BY GREEN SANDS AVENUE TO THE NORTH, STATE ROUTE 99 TO THE SOUTH, GURR ROAD TO THE EAST, AND STATION AVENUE TO THE WEST (ANX 17-01)**

**WHEREAS**, the 358.79-acre “Annexation Area” consists of Assessor’s Parcel Numbers shown in [Attachment A](#) is within unincorporated Merced County and the City of Atwater Sphere of Influence; and,

**WHEREAS**, annexation of the Annexation Area into the Atwater city limits is consistent with the Atwater General Plan, including its Housing Element as it has been adopted by the City Council on July 18, 2016; and,

**WHEREAS**, annexation of the Annexation Area is consistent with the annexation policies of the Merced County LAFCO (see [Attachment B](#), LAFCO Policy Consistency Analysis); and,

**WHEREAS**, pursuant to the California Environmental Quality Act, the Community Development and Resources Commission adopted Resolution No. 027-17 on \_\_\_\_\_ which recommended that the City Council certify the Ferrari Project Final Program Environmental Impact Report (EIR) State Clearinghouse No. 20141011045, incorporated herein by reference, as adequately prepared in compliance with CEQA; and,

**WHEREAS**, the Community Development and Resources Commission adopted Resolution No. 029-17 on \_\_\_\_\_ which recommended rezoning the 358.79-acre site; and,

**THEREFORE, BE IT RESOLVED** by the Community Development and Resources Commission of the City of Atwater recommends as follows:

1. That the City Council of the City of Atwater initiate annexation proceedings in connection with the subject property in accordance with the Cortese/Knox/Hertz Local Government reorganization Act for the annexation area as presented in [Attachment C](#); and

2. That the Ferrari Ranch territory is hereby designated as Ferrari Project Annexation No. 17-1; and

3. That the Annexation Area is within the City of Atwater’s Sphere of Influence and that the annexation is consistent with the goals and policies of the Atwater General Plan, including its Housing Element as it has been adopted by the City Council on July 18, 2016.

The foregoing resolution was introduced at a regular meeting of the Community Development and Resources Commission of the City of Atwater held on the \_\_\_ day of \_\_\_, by City Commissioner \_\_\_, who moved its adoption, which motion was duly seconded by City Commissioner \_\_\_, and Resolution No. 030-17 was adopted by the following vote:

AYES: XXXX  
NOES: XXXX  
ABSENT: XXXX

APPROVED:

ATTEST:

\_\_\_\_\_

**Attachments**

- Attachment A Assessor’s Parcel Numbers
- Attachment B LAFCO Policy Consistency Analysis
- Attachment C Annexation Map

---

**ANNEXATION RESOLUTION  
ATTACHMENT A**

ASSESSOR'S PARCEL NUMBERS

---



### Assessor's Parcel Numbers

No.	APN	Owner
1	004-130-005	Mason, Robert Ray
2	004-130-031	Tritthart, Steven J; Truitthart, Frieda M
3	005-120-017	Knight, Dennis.Knight; Geniece F (ttes)
4	004-120-016	Pamason Trust
5	004-120-018	Bacom, Jesse T
6	004-130-015	Wrighton, Queenie -2013 Trust
7	004-130-016	Brown, Thomas D (te)/ Brown, Deborah
8	004-130-017	Bacom, Gary A
9	004-120-020	Pamason Trust
10	004-120-012	Paley, Peter/Paley, Catherine
11	004-120-013	Waites, Carol A
12	004-120-009	Paley, Peter/Paley, Catherine
13	004-120-010	Valencia, Bulmaro
14	004-120-008	Lee, B & K Trust
15	004-120-007	Lee, Blong V(te)/Lee, Kia L
16	004-120-006	Lee, Blong V(te)/Lee, Kia L
17	004-120-005	Salvador, Daniel
18	004-120-004	Zalai, George L
19	004-120-003	Singh, Gill S
20	004-120-002	First Capital Real Estate Investors
21	004-120-001	Browning, Joanna Marie (te)
22	004-120-011	Paley, Peter/Paley, Catherine
23	004-120-019	Waites, Carol A
24	004-130-001	Garcia, Ramiro
25	004-130-006	Haley, Willie Arthur/ Haley, Eva Lola
26	004-130-007	Ruzbarsky, Myong S

27	004-130-008	Campbell, David J/ Suanne L (te)
28	004-130-009	Owens, Denise A
29	004-130-010	Aguilar, Jaime Avina
30	004-130-011	Lugo, Conrad J/ Lugo, Josphine
31	004-130-012	Vargas, Nicolas/ Vargas, Angela
32	004-130-014	Lopez, Pedro Jr
33	004-130-018	Mcgarry, Russell C
34	004-130-019	Rose, Paul/ Rose, Mariko
35	004-130-022	Molina, Salvador
36	004-130-023	Figas, Robert L/ Kathryn J (te)
37	004-130-024	Medina, Luz Eleana
38	004-130-025	Medina, Jeronimo Jr
39	004-130-026	Medina, Maria
40	004-130-027	Hannah, Robert L (te)/ Hannah Betty J (te)
41	004-130-028	Parley, Patrick Joseph (te)
42	004-130-030	Parley, Michael J (te)/ Parley, Ruth N (te)
43	004-130-033	Sandoval, Lizbeth
44	004-130-032	Sandoval, Lizbeth
45	004-130-013	Parley, Michael J (te)/ Parley, Ruth N (te)
46	004-130-002	Flores-Magalenes, Alberto/ Sigala-Guzman/ Jaquelin
47	005-110-038	Atwater Land Development Co. Inc.
48	005-110-021	Balestra, James O & Suzi J, Ttees
49	005-110-020	Kruppa Family Land Holdings LLC
50	005-110-019	Pedras, Joe T.
51	005-110-030	Angelo, Michael
52	005-110-031	Cavazos, Olga & Ross, Cory
53	005-130-007	Engel, Richard T & Arlene T, Ttees
54	005-150-001	Engel, Richard T & Arlene T, Ttees
55	005-150-003	Moss, Keith
56	005-210-001	Moss, Keith
57	005-210-007	Galhano, Florinda L, Te
58	005-120-020	Segura, Oscar F./Ortiz-Solis, Hilda/Loredo, Jose G.
59	005-120-024	Foster, Joseph T. & Camilla S., Ttees

60	005-120-006	Foster, Joseph T. & Camilla S., Ttees
61	005-120-036	Haskett, John K. Te
62	005-120-038	Haskett, John K. Te
63	005-120-035	Haskett, John K. Te
64	005-120-034	KNIGHT DENNIS & GENIECE F
65	005-120-032	GURAI RAJWINDER K
66		
67	005-120-028	ARMSTRONG THOMAS A JR
68		
69		
70	005-120-013	PACIFIC BELL
71	005-120-046	
72	005-120-045	
73		
74	005-120-049	
75	005-120-048	
76	005-120-047	
77	005-120-041	WILLIAMS NOAH & LORNA
78		
79	005-120-052	
80	005-120-053	AMARANT HELEN J
81	005-190-007	
82	005-190-006	
83	005-190-005	
84	005-190-004	
85	005-190-020	
86	005-190-019	
87	005-183-014	
88	005-183-012	
89	005-183-011	
90	005-183-010	
91	005-190-002	

92	005-183-009	
93	005-190-001	
94	005-183-001	
95	005-184-007	
96	005-184-011	
97	005-183-008	
98	005-183-002	
99	005-184-006	
100	005-183-007	
101	005-184-005	
102	005-184-008	
103	005-184-009	
104	005-184-010	
105	005-184-012	
106	005-183-003	
107	005-183-004	
108	005-184-004	
109	005-184-013	
110	005-183-006	
111	005-183-016	
112	005-183-017	
113	005-184-003	
114	005-184-014	
115	005-184-017	
116	005-184-016	
117	005-184-001	
118	005-181-022	
119	005-181-019	
120	005-181-018	



121	005-181-011	
122	005-181-017	
123	005-181-016	
124	005-181-015	
125	005-181-014	
126	005-190-009	
127	005-190-008	
128	005-190-010	
129	005-190-011	
130	005-183-015	
131	005-183-013	
132	005-181-001	
133	005-181-002	
134	005-181-003	
135	005-181-004	
136	005-181-005	
137	005-181-006	
138	005-181-007	
139	005-181-008	
140	005-181-013	



---

**ANNEXATION RESOLUTION  
ATTACHMENT B**

LAFCO POLICY CONSISTENCY ANALYSIS

---



# LAFCO POLICY CONSISTENCY ANALYSIS

Merced County LAFCO will utilize the Ferrari Project EIR to assist in making CEQA findings as part of LAFCO's consideration of the City's annexation application. As part of its deliberations, LAFCO will evaluate the consistency of the proposed project with its policies and procedures as identified in Chapter II, Merced County LAFCO Policies, in the Merced County Local Agency Formation Commission Policies and Procedures. To assist LAFCO in its consistency determination, the objectives found in the LAFCO Policies and Procedures document are listed below and project consistency with the policies listed under the objectives is reviewed. Where an objective or policy is not applicable, this is so noted. No inconsistencies were identified as a result of this analysis.

## A. AGRICULTURAL POLICIES

OBJECTIVE I. A: Prime agricultural land is protected and conserved while ensuring there are adequate areas for efficient and orderly growth.

Policy 1: In determining whether a City or Special District Annexation would affect prime agricultural land, the Commission shall apply the definition of "prime agricultural land" established under Section 56064 of the Cortese/Knox/Hertzberg Reorganization Act of 2000.

Consistency: The project site contains Prime Farmland and Farmland of Statewide Importance as mapped by the California Department of Conservation's Farmland Mapping and Monitoring Program. Please refer to the Ferrari Project EIR Section 3.2, Agriculture and Forest Resources, for more information. The project site is identified for urban development in the General Plan and the project site is within the City's SOI, which establish the fact that the City and LAFCO consider the site to be appropriate for efficient and orderly growth. Impacts of converting Prime Farmland to non-agricultural use were evaluated in the Ferrari Project EIR and a statement of overriding consideration was made. As described in Section 3.2, Agriculture and

Forest Resources, in the Ferrari Project EIR, mitigation is included in this EIR which requires that conversion of Prime Farmland and Farmland of Statewide Importance be partially mitigated through the placement of permanent conservation easements at a ratio of 1:1. The proposed project is consistent with applicable Agricultural Objectives and policies.

## B. SPHERE OF INFLUENCE REVISION POLICIES

OBJECTIVE II. A: Create an urban land use pattern in the city that provides adequate areas for growth while ensuring the efficient delivery of services.

OBJECTIVE II. B: The future urbanization of a City is reviewed comprehensively at the sphere of influence amendment stage rather than during the review of individual annexation requests.

OBJECTIVE II.C: Create an urban land use pattern in unincorporated communities that provides adequate areas for growth while ensuring the efficient delivery of services.

OBJECTIVE II. D: The future expansion of an urban service district is reviewed comprehensively at the sphere of influence amendment stage rather than during the review of individual annexation requests.

OBJECTIVE II. E: The sphere of influence reports for urban service districts clearly identify the types and capacity of services being provided to ensure their efficient and orderly delivery.

OBJECTIVE II. F: Review of sphere of influence amendment proposals involving rural service districts will focus on those factors that are germane to non-urban service delivery and resources.

OBJECTIVE II.G: The sphere of influence reports for independent special districts clearly identify the types and capacity of services being provided to ensure their efficient and orderly delivery.

Consistency: The project site is already within the City's SOI. The SOI revision objectives and policies listed above are not applicable to the proposed project as no revision to the existing SOI is proposed. The SOI was amended to include the proposed project site in 2000. That amendment request was reviewed by LAFCO for consistency with the above-referenced objectives at that time. The proposed project is consistent with applicable Sphere of Influence Revision Objectives.

### C. CITY AND URBAN SERVICE DISTRICT ANNEXATION POLICIES

OBJECTIVE III. A: City annexations reflect a planned, logical and orderly progression of urban expansion and promote efficient delivery of urban services.

Policy 1: Annexation boundaries should form a logical and efficient urban development pattern.

Consistency: The proposed project site is within the City's SOI and has been assigned urban land uses in the General Plan. The proposed project site is contiguous to the city limits on the west and north. City utilities and services currently extend to the boundary of the proposed project site.

Subsection (e) of Policy 1 is of particular relevance to the proposed project. It addresses whether any social or economic communities of interest exist that should be considered in the annexation boundary determination process based on urban services availability considerations. Subarea 1 – Station/Manchester and Subarea 5 – Valley are included in the proposed annexation boundary to ensure that these existing unincorporated pockets of residential development have access to municipal utilities (water and sewer service) and public services (fire and police protection services) as such services become available. The proposed project is consistent with this policy.

Policy 2: Annexation proposals should be consistent with and implement City General Plan and Sphere of Influence policies:

*Consistency:* The proposed project site is within the City's SOI and has been assigned urban land uses in the General Plan. The proposed project would implement the City's vision for growth within an area that has been comprehensively planned for growth in the General Plan. Future development within the proposed project site must be consistent with General Plan goals and policies, including those

related to provision of public services and payment of impact fees and construction of improvements/public facilities necessary to meet increased demand. The General Plan does not contain policies specific to annexation per se, but the following goals and policies are related to growth into the SOI:

GOAL LU-9 - Pursue orderly expansion of the Atwater community.

Policy LU-9.1. Facilitate phased development of the City's proposed growth areas.

GOAL LU-10. Maintain a compact urban form.

The proposed project is an orderly expansion of the City as has been envisioned by the City in the General Plan. Development Subarea 3 – Ferrari Ranch, would be phased over time as described in the PDMP. Development within the remaining portions of the project site would occur based on market demand. The PDMP identifies backbone infrastructure needed throughout the project site. Installation of that infrastructure will be completed by project developers as necessary to serve individual proposed projects. Reimbursement of individual project developers who fund more than their fair share of backbone infrastructure improvements needed to serve their projects may be required. The project site represents an expansion of urban development consistent with the General Plan; the land use vision in the General Plan was guided in part by the City's desire to maintain a compact urban form. The proposed project does not include modification of the existing SOI; consistency with such policies is not applicable. The proposed project is consistent with this policy.

Policy 3: All territory proposed for annexation shall be rezoned by the City, and no changes in General Plan designations or rezoning are permitted within two years following annexation, consistent with the Cortese-Knox-Hertzberg Act of 2000.

Consistency: The proposed project will be rezoned by the City consistent with the proposed land use designations. The adopted land uses and zoning is subject to the constraints posed by Policy 3. The proposed project is consistent with this policy.

Policy 4: Public services shall be available to all annexed land in an efficient and orderly manner.



Consistency: The proposed project is an orderly expansion of the City as has been envisioned by the City in the General Plan. The PDMP identifies backbone infrastructure needed throughout the project site. Installation of that infrastructure will be completed by project developers as necessary to serve individual proposed projects. The project site represents an expansion of urban development and the infrastructure needed to serve it consistent with the General Plan. Upon annexation, the City will provide water service to all subareas within the project site other than Subarea 5 – Valley, which will continue to be served by the Meadowbrook Water Company. The City will provide sewer treatment service and fire and police protection services to all areas within the project site.

Future developers will fund the capital costs of constructing new water, sewer, and storm drainage facilities and pay impact fees to the City to support maintenance of public infrastructure and facilities. The requirement that new development pay its fair share for utilities, facilities and public services demand it creates is embodied in several of the City's General Plan policies and implementation measures including the following:

City General Plan Policies:

Policy LU-9.2. Consider the following criteria when annexation and/or expansion of the City's Sphere of Influence is contemplated:

- Have provisions been made to provide adequate levels of public services to satisfy the demands generated by the proposed development?

Policy LU-25, Implementation Program LU-25.a. Require new development to pay its fair share of costs associated with providing public improvements and services.

Policy LU-17.2: Require all new development to contribute funding toward necessary fire facilities and equipment.

Policy LU-18.2: Require all new development to contribute funding toward necessary law enforcement facilities and equipment.

The proposed project is consistent with this policy.

Policy 5: Promote a balance of housing for persons and families of all income levels.

Consistency: The proposed project provides for limited new housing opportunities within Subarea 1 – Station/Manchester. That subarea is already largely developed with single-family residential uses. Since the proposed project is not intended to, nor does it provide significant new housing opportunities, it would not be inconsistent with the policy. The proposed project is consistent with this policy.

Policy 6: Analysis of agricultural or open space impacts from an annexation will be minimized when the Commission can make a finding that these resources were fully addressed during establishment of the City's Sphere of Influence and the annexation is consistent with any related sphere policy to protect these resources.

Consistency: Loss of agricultural land from urban development within the City's SOI was addressed as part of the City's General Plan update process in 2000. Nevertheless, the impact of the proposed project from loss of agricultural land is fully evaluated in the Ferrari Project EIR in Section 3.2, Agriculture and Forestry Resources. Partial mitigation for loss of agricultural land in the form of agricultural conservation easements at a ratio of 1 acre preserved for every one acre converted is required as identified in Mitigation Measure AG-1 in Section 3.2. The proposed project is consistent with this policy.

Policy 7: Utilize considerations consistent with the Cortese-Knox-Hertzberg Act of 2000 when evaluating agricultural and open space impacts on an individual annexation level.

Consistency: LAFCO's definition of agricultural land is considered as part of the analysis of project impacts on loss of agricultural land. This discussion is included in Section 3.2, Agriculture and Forestry Resources of the Ferrari Project EIR. The proposed project is consistent with this policy.

Policy 8: In the case of large comprehensive development proposals, annexation should be phased whenever feasible. The Commission may approve annexation of all the subject territory if it finds the territory is likely to be developed within a reasonable period of time and if the City has adopted a phasing plan for the territory and policies for ensuring adequate facilities

will be available once development occurs. Adoption of a specific plan for the territory by the City would be the most desirable means to ensure LAFCO policies are satisfied.

Consistency: A phasing plan for development of the entire project site has not been developed, as the future uses within Subareas 2 and 4 that would be designated Business Park are not known. Because more detailed information is available for Subarea 3 – Ferrari Ranch due to the availability of the PDMP, phasing within that Subarea has been projected. It is assumed for purposes of the CEQA analysis that buildout of the project site would occur over a 20-year period – a buildout period that is common for larger, comprehensive development proposals. As has been described, development will occur based on market demand for the types of uses proposed. New development cannot occur until project developers demonstrate to the City that adequate circulation and utility infrastructure and services exist or can and will be extended/provided to individual project sites commensurate with the demand created. The proposed project is consistent with this policy

OBJECTIVE III. B: Urban service district annexations reflect a planned, logical and orderly progression of urban expansion and promote efficient delivery of urban services.

Policy 1: Annexation boundaries should form a logical and efficient urban development pattern.

Consistency: The proposed project annexation boundaries are logical from an urban services perspective. No urban service district annexations are required. The City would provide urban services for all new development, with the Meadowbrook Water Company continuing to provide only water service to Subarea 5 – Valley, as described in Section 2.9, Hydrology and Water Quality, of the Ferrari Project EIR. The proposed project is consistent with this policy.

Policy 2: Annexation proposals should be consistent with and implement the County General Plan and district Sphere of Influence policies:

Policy 3: Public services shall be available to all annexed land in an efficient and orderly manner.

Consistency: County General Plan land use policies related to annexation requests as identified by the County in its response to the NOP generally address issues similar to those raised by LAFCO, including logical provision of services, orderly expansion, phased development and timing of annexations, logical annexation boundaries (e.g. avoid unincorporated islands or corridors, etc.). Prior policy consistency discussions address orderly and logical provision of services and expansion of City boundaries. The proposed project is consistent with this policy.

#### D. RURAL SERVICE DISTRICT CHANGE OF ORGANIZATION POLICIES

OBJECTIVE IV. A: Review of change of organization proposals involving rural service districts will focus on those factors that are germane to non-urban service delivery and resources.

Consistency: No change in the boundary of a rural service district is proposed. The proposed project is consistent with this policy.

#### E. INDEPENDENT SPECIAL DISTRICT FORMATION POLICIES

OBJECTIVE V.A: Agency formations are allowed in areas where a need for public services clearly exists and where no existing agency can adequately and efficiently provide those services.

Consistency: No independent special district formation actions are required as part of the proposed project. Related objectives and policies are not applicable to the proposed project. The proposed project is consistent with this policy.

#### F. CITY INCORPORATION POLICIES

Consistency: City incorporation is not required as part of the proposed project. The proposed project is consistent with this policy.

#### G. EXTENSION OF SERVICES BY CONTRACT (OUTSIDE CITY OR DISTRICT BOUNDARIES)

OBJECTIVE VII. A: Extension of municipal services outside the boundaries of the service provider will be limited to

circumstances where there exists a clear and immediate need and annexation is not feasible.

Consistency: No extension of services by contract is required as part of the proposed project. Related objectives and policies are not applicable to the proposed project. The proposed project is consistent with this policy.



---

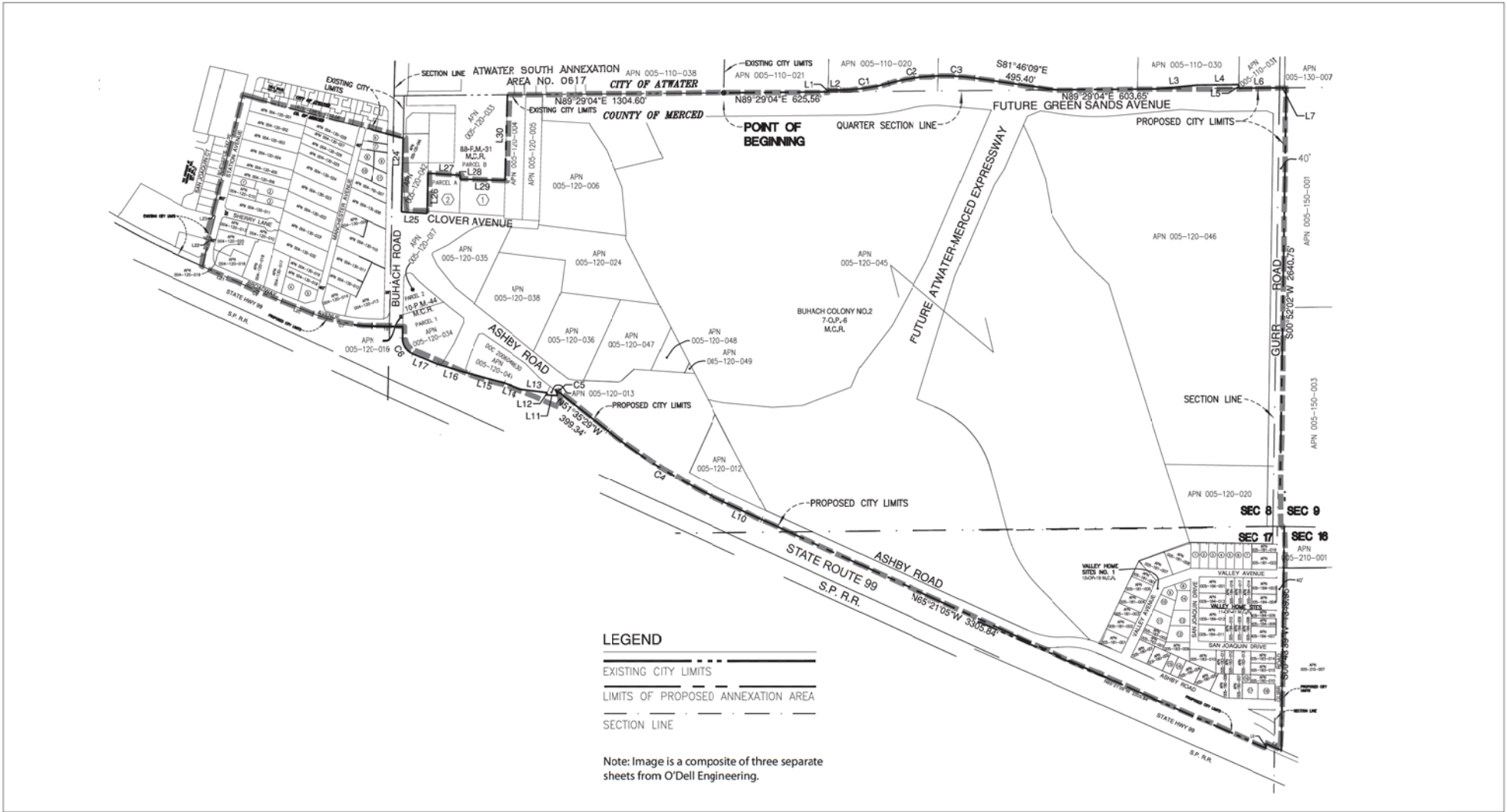
**ANNEXATION RESOLUTION  
ATTACHMENT C**

ANNEXATION MAP

---







Not to scale



Project Site



Source: O'Dell Engineering 2015

# Annexation Map

Ferrari Project

