

**PLACER LOCAL AGENCY FORMATION COMMISSION**

Roberty Weygandt, (County), Chair; Joshua Alpine (District), Vice Chair; Bonnie Gore (County); Paul Joiner (City); William Kahrl, (District); Joe Patterson, (City); Susan Rohan, (Public), Alternate Commissioners: Scott Alvord (City); Jeffrey Stark (Public); Jim Holmes, (County); Mike Lynch (District)

**REGULAR HEARING AGENDA  
October 14, 2020 - 4:00 P.M.**

**PUBLIC PARTICIPATION PROCEDURES:**

**Public Participation Procedures**

*In order to protect public health and the safety of our Placer County citizens, attendance for the Placer LAFCO meeting will be offered as a completely virtual Zoom meeting webinar. Placer LAFCO will be closed to public attendance.*

**PUBLIC PARTICIPATION PROCEDURES DUE TO COVID – 19 Concerns:**

In order to protect public health and the safety of our Placer County citizens, the Public Comment for the LAFCO meeting (Local Agency Formation Commission) will be offered through a Zoom meeting webinar. Citizens who wish to comment should be prepared to use Zoom by:

**Join from a PC, Mac, iPad, iPhone, or Android**

<https://placer-ca-gov.zoom.us/j/93460291287>

**Or Telephone:**

**877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)**

Webinar ID: 934 6029 1287 interested parties are encouraged to check Placer LAFCO’s website for any updates, including updates to the above call-in numbers and the meeting procedures [www.placer.ca.gov/2704/Local-Agency-Formation-Commission-LAFCO](http://www.placer.ca.gov/2704/Local-Agency-Formation-Commission-LAFCO)

*To join the webinar, click on <https://zoom.us/j/99802428006> or telephone (877) 853-5247 or (888) 788-0099. Webinar ID: 998 0242 8006.*

*In compliance with Governor Newsom’s Executive Order N-29-20-EO on telephone meetings, the public’s participation will be supported through web or phone participation for attendees. When Public Comment is opened, participants may “raise hand” to be called upon to give their public comment.*

- 1. Those joining online through the web meeting should “Raise Hand” in the Zoom meeting window. They will be called by the name they entered in the Zoom session, and they will be*

*prompted to unmute their microphone so they can state their name for the record and give their comment.*

- 2. Those who are calling in via phone may dial \*9 to raise their hand once Public Comment is opened. The Executive Officer will read out the caller's phone number and they will be notified that they are unmuted. The Executive officer will then direct them to state their name for the record and give their comment.*

*Alternatively, citizens may submit their comments in written form to the Commission.  
If you wish to submit written comments, please submit to Placer LAFCO at  
[kberry@placer.ca.gov](mailto:kberry@placer.ca.gov) prior to 2:00 on June 10, 2020.*

*Emails received though the email address after 2:00 p.m. the afternoon of the meeting will still become part of the official record and will be retained.*

- 1. Flag Salute**
- 2. Call to Order and Roll Call**
- 3. Approval of Agenda** (Action item)
- 4. Public Comment:** This is the time when persons may address the Commission on items not on the agenda. Please limit comments to three (3) minutes as the Commission is not permitted to take any action on items presented as public comment.
- 5. Amendment of Conflict of Interest Code:** The Commission will be asked to amend the current Conflict of Interest Code. (Action Item)
- 6. City of Auburn – Collins Drive Reorganization (LAFCO 2019-06):** The Commission will be asked to consider the annexation of approximately 45.3 acres to the City of Auburn; Responsible agency under CEQA Guidelines section 15096. (Action item)
- 6. Executive Officer Reports:**
  - Legislative Committee update
  - Proposal Status and proposals expected
  - Staffing
- 7. Commissioner Reports:**
- 8. Adjournment:** Next Commission meeting is scheduled for December 9, 2020 (November meeting date is a National Holiday.)

For further information or to provide written comments on any item on the agenda, please contact the Placer LAFCO. Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Placer LAFCO office at 110 Maple Street, Auburn, CA 95603 during normal business hours. Phone: (530) 889-4097 or [kberry@placer.ca.gov](mailto:kberry@placer.ca.gov). Placer LAFCO is committed to ensuring that persons with disabilities are provided the resources to participate in its meetings. If you require a disability-related accommodation, please contact the Clerk to the Commission at least two business days prior to the meeting date.

October 14, 2020  
Item No. 5

**PLACER COUNTY**  
**LOCAL AGENCY FORMATION COMMISSION**

110 Maple Street, Auburn California 95603

530-889-4097

Email: [lafco@placer.ca.gov](mailto:lafco@placer.ca.gov)

**STAFF REPORT**

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**DATE:** October 6, 2020

**TO:** Commissioners Alpine, Gore, Joiner, Kahrl, Patterson, Rohan, Weygandt.  
Alternate Commissioners Alvord, Starsky, Holmes, Lynch

**FROM:** Kris Berry, AICP, Executive Officer 

**SUBJECT:** Fair Political Practices Commission Conflict of Interest Code.

**RECOMMENDATION:**

It is recommended that the Commission approve the attached Resolution 2020-05 (attached as Exhibit A) designating the filing Elections Office as the Filing Officer under the Conflict of Interest Code.

**SUMMARY:**

The Commission approved LAFCO's current Fair Political Practices Commission Conflict of Interest Code in February of 2016, specifying disclosure categories for positions that make or participate in making decisions.

LAFCO is required to periodically review our code. Recently, LAFCO was informed that the designation of the Filing Officer should be the Elections Office, which has been included in the Conflict of Interest Code. As such, we are recommending the attached Resolution 2020-05 which includes the LAFCO Commission Clerk as the designated filing officer for filing of 700 forms. A copy of the existing Conflict of Interest Code is attached as Exhibit "B."

Exhibit "1" Proposed Conflict of Interest Code.

## Resolution 2020—05

### RESOLUTION OF THE PLACER COUNTY LOCAL AGENCY FORMATION COMMISSION ADOPTING THE FAIR POLITICAL PRACTICES COMMISSION CONFLICT OF INTEREST CODE

WHEREAS, The Political Reform Act of 1974, as amended ("the Act"), California Government Code §81000 et seq., requires in Government Code §87300 that each agency subject to the Act, including the Placer County Local Agency Formation Commission, adopt a local Conflict of Interest Code; and

WHEREAS, the act provides in §87302 that each such local Conflict of Interest Code shall designate positions within each agency subject to the Code and further designate the types of reportable interests which must be disclosed by any such designated employee; and

WHEREAS, the Fair Political Practices Commission in administering the Act has adopted a regulation (2 California Code of Regulations §18730) which permits agencies subject to the Act to adopt by reference the Model Conflict of Interest Code developed by the Fair Political Practices Commission; and

WHEREAS, this conflict of interest code adopted by the Commission shall supersede and replace all previous versions of the code adopted by the Commission; and

WHEREAS, the Commission now desires to adopt said Model Code;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Local Agency Formation Commission as follows:

1. That pursuant to the provisions of Government Code §87300 and (Title) 2 California Code of Regulations §18730, the Placer County Local Agency Formation Commission hereby adopts the Fair Political Practices Commission's Model Conflict of Interest Code as set forth currently or as may hereafter be amended, as the local Conflict of Interest Code of the Commission (the "Code").
2. That the Code shall apply and be applicable to those persons in the service of the Placer County Local Agency Formation Commission as listed below. Each person occupying each designated position shall be assigned to a disclosure category based on the descriptions also set forth below.
3. That each person in each designated position, as listed below, shall report, as required by the Code, all reportable interests for their particular disclosure category.

4. That each person in each designated position shall file a statement of economic interests/Form 700 with the Placer County Elections Office, as the Commission's Filing Officer.

5. Designated Positions: Disclosure Category:

Executive Officer	All
Counsel	All
Board of Supervisors Member	All
Alternate Board of Supervisors Member	All
City Member	All
Alternate City Member	All
Special District Member	All
Alternate Special District Member	All
Public Member	All
Alternate Public Member	All

6. Disclosure Categories:

1. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the Commission.
2. Investments and business positions in business entities, governmental entities and non-profits that are regulated by the Commission.
3. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that engage in the acquisition, disposal, or development of real property within the Commission's jurisdiction.
4. Investments and business positions in business entities, and sources of income, including loans, gifts, and travel payments, from sources of the type that regularly engage in the preparation of environmental impact statements or reports.
5. Interests in real property located within the jurisdiction of the Commission or within two miles of the boundaries of the jurisdiction of the Commission.
6. Investments and business positions in business entities, and sources of income including loans, gifts, and travel payments, from sources of the type that receive financial or technical assistance from the Commission.

Passed and adopted this 14th day of October, 2020 upon a vote of the members of the Local Agency Formation Commission, then in attendance and regularly convened as follows:

Ayes;

Noes:

Abstain:

Absent:

Signed and approved after adoption:

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Robert Weygandt, Chair

Attest:

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Kristina Berry, AICP, Executive Officer

**PLACER COUNTY**  
**LOCAL AGENCY FORMATION COMMISSION**

110 Maple Street, Auburn California 95603

530-889-4097

Email: [lafco@placer.ca.gov](mailto:lafco@placer.ca.gov)

**STAFF REPORT**

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**DATE:** October 6, 2020  
**TO:** Commissioners Alpine, Gore, Joiner, Kahrl, Patterson, Rohan, Weygandt.  
Alternate Commissioners Alvord, Starsky, Holmes, Lynch  
**FROM:** Kris Berry, AICP, Executive Officer 

**SUMMARY**

The proposed Collins Drive Annexation (LAFCO 2019-06) would allow the annexation of approximately 45.3 acres to the City of Auburn and Detachment from County Service Area 28, Zone 193 (County Fire)

**RECOMMENDED ACTION**

Staff is recommending that the Commission:

- 1) Determine that Placer LAFCO is a responsible agency and that the Initial Study and Mitigated Negative Declaration prepared and adopted by the City of Auburn on July 22, 2019 under CEQA Guidelines section 15096, and direct the Executive Officer to file an appropriate Notice of Determination, and
- 2) Adopt Placer LAFCO Resolution 2019-06, attached as Exhibit 2, annexing the 45.3 acre territory to the City of Auburn and detaching the territory from County Service Area 28, Zone 193 (County Fire).
- 3) Authorize the Executive Officer to conduct Conducting Authority protest proceedings pursuant to Government Code section 57000 et seq. and to determine if there are sufficient protests to hold an election.

**SUMMARY**

This proposal would allow the annexation of approximately 45.3 acres to the City of Auburn, and detach the territory from County Service Area 28, Zone 193 (County Fire). The Subject property is located immediately adjacent to the existing western boundary of the City near Nevada Street and south of Mt. Vernon Road. The territory consists of four parcels, two of

which are proposed for residential development, one parcel owned by Union Pacific Railroad, and one parcel owned by the Auburn Cemetery District in the “New” Cemetery area.

### **Description of Proposal**

This proposal would allow the annexation of four parcels totally approximately 45.3 acres to the city of Auburn. The proponent, Bayside Holdings, is proposing a 65 subdivision on 2 parcels (Parcels 2 and 3, 27.9 acres) owned by them. Per discussions in early meetings, at LAFCO’s request, two additional parcels, one owned by the Union Pacific Railroad (4.5 acres) and the Auburn Cemetery District (12.9 acres), as well as Collins road, which is have been included in the proposal due to concerns that annexation of just the two proponents parcels would be creating an Island. This concern will be discussed further in this report.

The proposed territory is currently designated by the General Plan as Rural Residential 2.3 – 4.6 Acre Minimum, and is zoned Residential Agriculture, RA-B-100. The City has prezoned the property as Residential, R1-10, Open Space, Commercial M-1/C-1 Commercial and Low Density Residential and Open Space, F (Farm, Rural Residential.)

As required by LAFCO policy, a Market Absorption study for the proposal was prepared by New Economics & Advisory Dated July 11, 2016. Based on their Analysis, the City will essentially exhaust its supply of single-family land in 20 years, leaving enough vacant land to accommodate just 45 single family units. This was estimated on a base estimate of 50 units constructed a year.

A Plan for services, as required, has been prepared and is attached as Exhibit “4.”

Prior to a proposal being scheduled for hearing, the City and the County must come to an agreement on tax-sharing. A Memorandum of Understand was reached between the City and County. The City adopted the tax sharing agreement on August 24, 2020. The County adopted the tax sharing agreement on August 25, 2020. This MOU and tax sharing agreement resulted from extensive negotiation between the City and County. A copy of the draft agreement is attached as Exhibit 6.

### **Island Annexation**

As previously indicated above, annexation of just the Bayside parcels would result in a island annexation. The inclusion of the Cemetery District property and the Union Pacific Railroad property is intended to comply with Placer LAFCO policy 3.D.(2) which states

#### **D. UNINCORPORATED ISLANDS**

The creation and continued existence of unincorporated islands is expressly discouraged and/or prohibited. Unincorporated islands must continue to be serviced by the County and other local agencies serving unincorporated areas, but because these service areas are isolated from other service areas, they are difficult and expensive to serve.

Unincorporated islands, therefore, are not consistent with logical and efficient government.

- (1) POLICY: The Commission shall discourage the creation of islands or areas not in a city but substantially surrounded by a city or cities, or by a city or cities and a county boundary or a major body of water.
- (2) POLICY: *The Commission shall deny city annexations or reorganizations that include city annexations that create areas that are substantially or totally surrounded by a city. The Commission shall consider an area to be “substantially surrounded” when it is surrounded by a city or cities, or by a city or cities and a county boundary or a major body of water on at least 75% of its boundaries, unless one of the following conditions have been met:*
- (a) The Commission determines that denial of the proposal would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation cannot be reasonably annexed to another city or incorporated as a new city.
  - (b) In the case of areas which are substantially surrounded, the applicant provides written results of a landowner (uninhabited or inhabited) or registered voter (inhabited) survey that shows that inclusion of the unincorporated area would successfully subvert the proposal.

The Auburn Cemetery District has submitted a letter indicating their opposition to the inclusion of the property in the annexation, which is attached to this report as Exhibit 6.

Removal of this property from the territory included in the island would create a “island” of territory substantially surrounded by the city in which the county would still be providing services, including police and fire. Therefore, it is recommended that the property be included in the annexation to provide logical and efficient services.

### **Environmental Analysis**

Under the California Environmental Quality Act (CEQA), the lead agency (City of Auburn) is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment. A responsible agency is a public agency that has responsibility for carrying out or approving some aspect of the project. The lead agency must consult with responsible agencies and consider their comments in preparing the environmental document. The City of Auburn Prepared an Initial Study and prepared a Mitigated Negative Declaration, as well as a Mitigation Monitoring Plan in accordance with CEQA and adopted the Mitigated Negative Declaration on July 22, 2019. Pursuant to CEQA Guidelines, section 15096, LAFCO, as a responsible agency, has considered the Mitigated Negative Declaration and Mitigation Monitoring Plan and finds that, as approved by the City, is legally adequate for use by the Commission for the annexation.

#### Attachments:

- Exhibit 1            Proposal map and legal description
- Exhibit 2            Draft LAFCO Resolution 2020-6 approving the proposed annexation to the City of Auburn and detaching territory from CSA

- Exhibit 3      Market Absorption Study (although watermark indicates draft, it's a Final)
- Exhibit 4      Plan for Services
- Exhibit 5      Draft Tax sharing agreement

## EXHIBIT 1

### EXHIBIT "A"

**LAFCO ANNEXATION NO. 2019-06  
TO THE CITY OF AUBURN, COLLINS DRIVE  
PLACER COUNTY, CALIFORNIA  
WITHIN A PORTION OF SECTION 9, TOWNSHIP 12 NORTH  
RANGE 8 EAST MOUNT DIABLO MERIDIAN**

### LEGAL DESCRIPTION

All that real property situate in the County of Placer, State of California, being a portion of Section 9, Township 12 North, Range 8 East, Mount Diablo Meridian (M.D.M.), described as follows:

**BEGINNING** at an angle point on the existing City of Auburn limits line as described in the Brocker Annexation Resolution # 75-97, recorded in Book 1685 Office Records Page 184, also being the South line of that certain "Record of Survey No. 2059", recorded in Book 15, of Surveys, at Page 84, Official Records of Placer County and also being the Northwest corner of Parcel B as said Parcel B is shown on that certain "Parcel Map" recorded in Book 23 of Parcel Maps at Pages 112, Placer County Records; Said Point of Beginning also bears North 28°22'11" East 2,512.20 feet from the south ¼ corner of section 9, Township 12 North, Range 8 East, thence from said **POINT OF BEGINNING** leaving said City of Auburn limits along the South line of said Record of Survey No. 2059:

1. South 80°06'30" West 624.32 feet to the Southeast corner of the Tract of Land described in that certain "Grant Deed", recorded in Book 1601, at Page 469, Official Records of Placer County; thence along the East and North boundary lines of said Grant Deed the following two (2) courses:
  2. (1) North 13°17'47" East 65.27 feet;
  3. (2) South 80°06'30" West 575.96 feet to the Northwest corner of said Grant Deed and being a point on the North-South centerline of Section 9, Township 12 North, Range 8 East; said point also bears North 00°43'40" East 2,067.98 feet from the above said south

¼ corner of said Section 9, thence leaving said Northwest corner along said North-South centerline,

4. North 00°43'40" East 601.62 feet to the most southerly corner of the Lands of P.&G. & E. as said lands are described in that certain "Grant Deed" recorded in Book 143 of Deeds at Page 335, Official Records of Placer County; thence leaving said North-South centerline along the easterly boundary line of said lands of P.G. & E. the following four (4) courses:
  5. (1) North 13°23'40" East 517.00 feet;
  6. (2) North 05°43'40" East 336.00 feet to the beginning of a tangent curve, concave southeasterly, having a radius of 410.27 feet;
  7. (3) northeasterly along said curve, through a central angle of 35°36'42", an arc distance of 255.00 feet;
  8. (4) North 40°40'40" East 424.51 feet to a point on the said city limits line and being the Northeast corner of said Lands of P.G. & E. also being a point on the southerly right-of-way of Mount Vernon Road as said right-of-way is described in that certain "Grant Deed" recorded in Book 2193, at Page 661, Official Records of Placer County; thence leaving said easterly boundary line along the south line of the City limits line as described in the Nevada Street Annexation Resolution 88-4A, recorded in Book 3463 of Official Records of Placer County at Page 312, and the above said southerly right-of-way the following five (5) courses:
    9. (1) South 88°48'53" East 21.96 feet; to the beginning of a tangent curve, concave southerly, having a radius of 965.00 feet;
    10. (2) easterly along said curve, through a central angle of 12°30'00", an arc distance of 210.53 feet;
    11. (3) South 76°18'53" East 10.67 feet;
    12. (4) North 13°41'07" East 5.00 feet to the beginning of a non-tangent curve, concave northerly, having a radius of 1,530.00 feet; and to which beginning a radial line bears South 13°41'07" West;

13. (5) easterly along said curve, through a central angle of  $07^{\circ}54'44''$ , an arc distance of 211.28 feet to the easterly right-of-way of the lands of Union Pacific Railroad Company as said right-of-way is shown on that certain "Record of Survey No. 1676" recorded in Book 13 of Surveys, at Page 36, Official Records of Placer County and the beginning of a non-tangent curve, concave southwesterly, having a radius of 5779.60 feet; thence leaving said southerly line and said Nevada Street Annexation and along said City limits line as described in the MKC Annexation Resolution 78-12, recorded in Book 2138 of Office Records of Placer County at page 496, and the above said easterly right-of-way the following five (5) courses;
14. (1) southeasterly along said curve, through a central angle of  $00^{\circ}16'18''$ , an arc distance of 27.40 feet, to the beginning of a tangent curve, concave southwesterly, having a radius of 7689.45 feet;
15. (2) southeasterly along said curve, through a central angle of  $00^{\circ}13'30''$ , an arc distance of 30.20 feet, to the beginning of a tangent curve, concave southwesterly, having a radius of 11509.17 feet;
16. (3) southeasterly along said curve, through a central angle of  $00^{\circ}09'00''$ , an arc distance of 30.13 feet, to the beginning of a tangent curve, concave southwesterly, having a radius of 22968.32 feet;
17. (4) southeasterly along said curve, through a central angle of  $00^{\circ}04'30''$ , an arc distance of 30.07 feet;
18. (5) South  $18^{\circ}49'30''$  East 932.87 feet more or less, to the existing 1916 City of Auburn City Limits line, also being the West line of the Southwest 1/4 of the Northeast 1/4 of said Section 9 as described in the certain Certificate of Completion recorded in Book 2138, at Page 496, Official Records of Placer County, and also being the East 1/16<sup>th</sup> line as shown on that certain Record of Survey No. 1880 filed in Book 14 of Surveys, at Page 53, Placer County Records;
19. thence leaving said right-of-way and continuing along the said 1916 City of Auburn City limits line, also being the said West line of the Southwest 1/4 of the Northeast 1/4 of said Section 9, and also being the said East 1/16<sup>th</sup> line, South  $00^{\circ}37'22''$  West 600.70 feet to a point on the westerly right-of-way of said lands of the Union Pacific Railroad Company;

20. thence continuing along the existing 1916 City of Auburn City Limits line and said westerly right-of-way line South 18°49'30" East 83.35 feet to the most northerly corner of Parcel B of said Parcel Map recorded in Book 23 of Parcel Maps at Page 112, Placer County being the northerly limit of said Brocker City Annexation;
21. thence leaving said westerly right-of-way line and along said Brocker Annexation, South 43°28' 30" West 135.21 feet, along the northerly line of said Parcel B and the said Brocker Annexation City limits line;
22. thence continuing along said Brocker Annexation South 80°06'30" West 88.54 feet to the **POINT OF BEGINNING.**

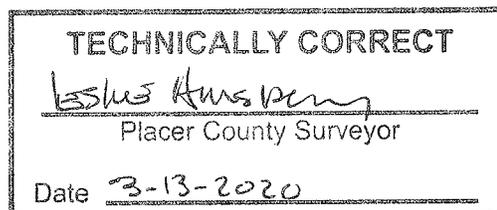
The above described area of land containing 47.579 acres, more or less.

The basis of bearings for this legal description is the easterly line of Record of Survey No. 2059 recorded in Book 15 of Surveys, at Page 84, Official Records of Placer County; i.e., North 18°49'30" West noted herein as the bearing for Course No. 18, i.e. "South 18°49'30" East".

This legal description and attached Exhibit B drawing are based solely on the available public land records and do not constitute a Record of Survey as defined in Section 8762 of the California Business and Professions Code ("Land Surveyors Act").

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End of Description



*Lester E. Carter Jr.*  
Lester E. Carter Jr., CA. PLS No 6148

3/5/2020  
Date

## PLACER LOCAL AGENCY FORMATION COMMISSION

### Resolution No. 2020-06

**Approving a Reorganization consisting of an Annexation to the City of Auburn  
and Detachment from County Service Area 28, Zone 193  
(LAFCO No. 2019-06—Collins Dr Reorganization)**

**Whereas**, an application was filed with the Executive Officer of the Placer Local Agency Formation Commission in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.—the "Act") for the annexation of certain territory as described in Exhibit 1, attached hereto and incorporated herein by reference (the "Territory") to the City of Auburn ("City"); and,

**Whereas**, the Proposal is located on 45.3± acres outside of the municipal boundaries of the City, which area is shown and described in Exhibits 1 and 2, attached hereto and incorporated herein by reference (the "Territory"), and

**Whereas**, on July 29 2019, the City, acting as lead agency under the California Environmental Quality Act (CEQA—Public Resources Code section 21000 et seq.), adopted resolution adopted a Mitigated Negative Declaration for the proposal, and

**Whereas**, on July 29, 2019, the Auburn City Council adopted Ordinance 2019-57 rezoning the property and approving an annexation application, and

**Whereas**, on September 19, 2019, the City submitted an application to Placer LAFCO in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act"—Government Code section 56000 et seq.) requesting annexation of the Territory and the application included a plan for service prepared in accordance with Placer LAFCO Policy I.A.3, and

**Whereas**, the proposed territory is within the adopted Sphere of Influence for the City of Auburn, and

**Whereas**, the Executive Officer of Placer LAFCO reviewed the proposed annexation of the Territory, duly noticed a public hearing, and prepared and submitted a report to the Commission regarding the annexation of the Territory to the City, and,

**Whereas**, this Commission held a public hearing, received oral and written comments and evidence with respect to the proposed annexation and has duly considered the report of the Executive Officer and all other relevant evidence and information in full accordance with the requirements of the Act, and

**Now, therefore, the Placer Local Agency Formation Commission does hereby** adopt and incorporate herein as true and accurate statements and findings of

fact all of the statements and recitals set forth in all of the preceding portions of this resolution, and

**Further, the Commission does hereby** determine, resolve, and order, pursuant to its powers as provided in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as follows:

1. The Territory is uninhabited under Section 56046 of the Act.
2. The Territory is located within the existing sphere of influence for the City.
3. The Commission has considered the following factors, among others, pertaining to the proposed annexation, and determines that this annexation is consistent with the provisions of the Act and Placer LAFCO Policies, as more fully discussed in the staff report dated August 5, 2009, which discussion is incorporated herein by reference:
  - a. When developed, the Territory will require organized public services, including police and fire service, roads, solid waste, cable television, libraries and similar services, along with public utilities, including water supply, recycled water, wastewater, storm drainage, electric, and will include public resources such as parks and open space areas. The City approvals establish a comprehensive plan that will ensure the funding for infrastructure is in place to make such services available as demand develops within the Territory and that the services will be available when they are needed. The City will be capable of providing services to the Territory in a timely manner without diminishing its ability to provide services to the remainder of its residents.
  - b. Annexation of the Territory will not impact the local government structure of the County.
  - c. Annexation of the Territory provides additional land for the City to continue to develop in a planned, orderly and efficient pattern.
  - d. Annexation of the Territory will result in the conversion of rural, but planned, orderly and efficient development of the City is promoted by annexation of the Territory. There is little remaining vacant or nonprime agricultural land within the boundaries of the City that is not developed or entitled for development, and the City is projected to be essentially built-out within ten (10) years.
  - e. Because the proposal does not divide agricultural lands, the physical and economic integrity of agricultural lands not included within the proposal will not be affected by the annexation of the Territory.
  - f. The boundary of the City that will be created by the annexation will be logical, definite and certain, and follow right of way, property ownership, and parcel lines.
  - g. The City has demonstrated that water supplies adequate for projected needs will be available in a timely fashion in accordance with Government Code section 65352.5.
  - h. Annexation of the Territory will assist the City and will not adversely affect the County in achieving their respective fair shares of regional housing needs.

4. The distinctive short form for this proposal shall be: LAFCO No. 2019 – 06  
Collins Drive Annexation.

5. The change of organization consists of the following:

Annexation to the City of Auburn  
Detachment from CSA Area 28, Zone 193

Upon the Effective Date, the Territory shall be within the municipal boundaries of the City of Auburn.

6. As of the Effective Date, the Territory shall be subject to all authorized or enacted ordinances, regulations, charges, fees, assessments and/or taxes of the City.

7. The regular County assessment roll shall be used for this change of organization.

8. There shall be an exchange of revenues from the property tax base and the property tax increment and other taxes in accordance with the approved property tax transfer agreements between the City of Auburn and the County of Placer.

9. This approval is subject to payment of all necessary fees and charges of Placer LAFCO and of other agencies, including but not limited to the Board of Equalization.

10. This approval is not subject to terms and conditions.

11. The Territory being legally uninhabited and the property owners and the City consenting to the proposal, the Commission waives protest proceedings pursuant to Government Code section 56663.

12. For a period of two (2) years after the Effective Date, no change shall be made to the general plan or zoning for the Territory that is not in substantial conformance with the rezoning designations adopted by the City of Auburn on July 22, 2019.

13. Upon satisfaction of all conditions of this approval, the Executive Officer is authorized to prepare and execute a Certificate of Completion in accordance with Government Code section 57200. The date of issuance of the Certificate of Completion shall constitute the Effective Date of this change of organization.

Resolution No. 2019-06  
Collins Drive Reorganization (City of Auburn)

On a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution was passed and adopted by the Placer Local Agency Formation Commission at a duly noticed meeting thereof this 14th day of October, 2020 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Signed after adoption:

\_\_\_\_\_  
Robert Weygandt, Chair

Attest:

\_\_\_\_\_  
Kristina Berry, AICP, Executive Officer



## EXHIBIT "A"

### LAFCO ANNEXATION NO. 2019-06 TO THE CITY OF AUBURN, COLLINS DRIVE PLACER COUNTY, CALIFORNIA WITHIN A PORTION OF SECTION 9, TOWNSHIP 12 NORTH RANGE 8 EAST MOUNT DIABLO MERIDIAN

#### LEGAL DESCRIPTION

All that real property situate in the County of Placer, State of California, being a portion of Section 9, Township 12 North, Range 8 East, Mount Diablo Meridian (M.D.M.), described as follows:

**BEGINNING** at an angle point on the existing City of Auburn limits line as described in the Brocker Annexation Resolution # 75-97, recorded in Book 1685 Office Records Page 184, also being the South line of that certain "Record of Survey No. 2059", recorded in Book 15, of Surveys, at Page 84, Official Records of Placer County and also being the Northwest corner of Parcel B as said Parcel B is shown on that certain "Parcel Map" recorded in Book 23 of Parcel Maps at Pages 112, Placer County Records; Said Point of Beginning also bears North 28°22'11" East 2,512.20 feet from the south  $\frac{1}{4}$  corner of section 9, Township 12 North, Range 8 East, thence from said **POINT OF BEGINNING** leaving said City of Auburn limits along the South line of said Record of Survey No. 2059:

1. South 80°06'30" West 624.32 feet to the Southeast corner of the Tract of Land described in that certain "Grant Deed", recorded in Book 1601, at Page 469, Official Records of Placer County; thence along the East and North boundary lines of said Grant Deed the following two (2) courses:
2. (1) North 13°17'47" East 65.27 feet;
3. (2) South 80°06'30" West 575.96 feet to the Northwest corner of said Grant Deed and being a point on the North-South centerline of Section 9, Township 12 North, Range 8 East; said point also bears North 00°43'40" East 2,067.98 feet from the above said south

¼ corner of said Section 9, thence leaving said Northwest corner along said North-South centerline,

4. North 00°43'40" East 601.62 feet to the most southerly corner of the Lands of P.&G. & E. as said lands are described in that certain "Grant Deed" recorded in Book 143 of Deeds at Page 335, Official Records of Placer County; thence leaving said North-South centerline along the easterly boundary line of said lands of P.G. & E. the following four (4) courses:
  5. (1) North 13°23'40" East 517.00 feet;
  6. (2) North 05°43'40" East 336.00 feet to the beginning of a tangent curve, concave southeasterly, having a radius of 410.27 feet;
  7. (3) northeasterly along said curve, through a central angle of 35°36'42", an arc distance of 255.00 feet;
  8. (4) North 40°40'40" East 424.51 feet to a point on the said city limits line and being the Northeast corner of said Lands of P.G. & E. also being a point on the southerly right-of-way of Mount Vernon Road as said right-of-way is described in that certain "Grant Deed" recorded in Book 2193, at Page 661, Official Records of Placer County; thence leaving said easterly boundary line along the south line of the City limits line as described in the Nevada Street Annexation Resolution 88-4A, recorded in Book 3463 of Official Records of Placer County at Page 312, and the above said southerly right-of-way the following five (5) courses:
    9. (1) South 88°48'53" East 21.96 feet; to the beginning of a tangent curve, concave southerly, having a radius of 965.00 feet;
    10. (2) easterly along said curve, through a central angle of 12°30'00", an arc distance of 210.53 feet;
    11. (3) South 76°18'53" East 10.67 feet;
    12. (4) North 13°41'07" East 5.00 feet to the beginning of a non-tangent curve, concave northerly, having a radius of 1,530.00 feet; and to which beginning a radial line bears South 13°41'07" West;

13. (5) easterly along said curve, through a central angle of  $07^{\circ}54'44''$ , an arc distance of 211.28 feet to the easterly right-of-way of the lands of Union Pacific Railroad Company as said right-of-way is shown on that certain "Record of Survey No. 1676" recorded in Book 13 of Surveys, at Page 36, Official Records of Placer County and the beginning of a non-tangent curve, concave southwesterly, having a radius of 5779.60 feet; thence leaving said southerly line and said Nevada Street Annexation and along said City limits line as described in the MKC Annexation Resolution 78-12, recorded in Book 2138 of Office Records of Placer County at page 496, and the above said easterly right-of-way the following five (5) courses;
14. (1) southeasterly along said curve, through a central angle of  $00^{\circ}16'18''$ , an arc distance of 27.40 feet, to the beginning of a tangent curve, concave southwesterly, having a radius of 7689.45 feet;
15. (2) southeasterly along said curve, through a central angle of  $00^{\circ}13'30''$ , an arc distance of 30.20 feet, to the beginning of a tangent curve, concave southwesterly, having a radius of 11509.17 feet;
16. (3) southeasterly along said curve, through a central angle of  $00^{\circ}09'00''$ , an arc distance of 30.13 feet, to the beginning of a tangent curve, concave southwesterly, having a radius of 22968.32 feet;
17. (4) southeasterly along said curve, through a central angle of  $00^{\circ}04'30''$ , an arc distance of 30.07 feet;
18. (5) South  $18^{\circ}49'30''$  East 932.87 feet more or less, to the existing 1916 City of Auburn City Limits line, also being the West line of the Southwest 1/4 of the Northeast 1/4 of said Section 9 as described in the certain Certificate of Completion recorded in Book 2138, at Page 496, Official Records of Placer County, and also being the East 1/16<sup>th</sup> line as shown on that certain Record of Survey No. 1880 filed in Book 14 of Surveys, at Page 53, Placer County Records;
19. thence leaving said right-of-way and continuing along the said 1916 City of Auburn City limits line, also being the said West line of the Southwest 1/4 of the Northeast 1/4 of said Section 9, and also being the said East 1/16<sup>th</sup> line, South  $00^{\circ}37'22''$  West 600.70 feet to a point on the westerly right-of-way of said lands of the Union Pacific Railroad Company;

20. thence continuing along the existing 1916 City of Auburn City Limits line and said westerly right-of-way line South 18°49'30" East 83.35 feet to the most northerly corner of Parcel B of said Parcel Map recorded in Book 23 of Parcel Maps at Page 112, Placer County being the northerly limit of said Brocker City Annexation;
21. thence leaving said westerly right-of-way line and along said Brocker Annexation, South 43°28' 30" West 135.21 feet, along the northerly line of said Parcel B and the said Brocker Annexation City limits line;
22. thence continuing along said Brocker Annexation South 80°06'30" West 88.54 feet to the **POINT OF BEGINNING.**

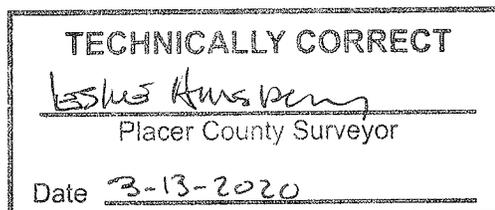
The above described area of land containing 47.579 acres, more or less.

The basis of bearings for this legal description is the easterly line of Record of Survey No. 2059 recorded in Book 15 of Surveys, at Page 84, Official Records of Placer County; i.e., North 18°49'30" West noted herein as the bearing for Course No. 18, i.e. "South 18°49'30" East".

This legal description and attached Exhibit B drawing are based solely on the available public land records and do not constitute a Record of Survey as defined in Section 8762 of the California Business and Professions Code ("Land Surveyors Act").

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End of Description



*Lester E. Carter Jr.*

Lester E. Carter Jr., CA. PLS No 6148

3/5/2020

Date

## ADMINISTRATIVE DRAFT MEMORANDUM

To: Placer Local Agency Formation Commission

From: Jesse W. Walker and Isabel Domeyko

Date: July 11, 2016

Re: Market Absorption Study for the Collins Drive Residential Subdivision

New Economics & Advisory was retained by Dudek to analyze the market absorption of the Collins Drive residential subdivision (Project), which is proposed to be annexed to the City of Auburn (City). The Project includes 65 new single family homes on approximately 28 acres of land at the southwesterly corner of Collins Drive and Mount Vernon Road in unincorporated Placer County.

For projects that wish to annex into the City, the Placer Local Agency Formation Commission (LAFCo) requires the preparation of a market absorption study that analyzes anticipated growth of proposed land uses, as compared to remaining vacant developable land within the existing city limits which could accommodate this demand. In order to satisfy this requirement, New Economics & Advisory has analyzed the rate of land development absorption that Auburn is likely to experience over the next twenty years and compared this rate to the currently-available land supply, in order to assess whether the proposed annexation would lead to an oversupply.

This memorandum summarizes the results of this analysis, and includes the following sections:

- **Summary of Findings** describes the overall results of the Study;
- **Project Description** provides information about the location and proposed land uses within the Project;
- **Study Methodology** describes the methodology utilized by the study, and the primary data sources used;
- **Residential Land Demand** contains the detailed information regarding the residential demand assessment, including historical growth rates, future projections, and an analysis of Auburn's competitive position in the region;
- **Residential Land Supply** shows the detailed estimate of land available in the City to accommodate future single family development; and
- **Appendix A: Technical Support Tables** provides detailed backup data and calculations which support the findings of the analysis.

## Summary of Findings

The primary findings of the Market Absorption Study follow below. **Figure 1** (on page 3) summarizes the overall results, including the scale of anticipated demand for single family residential development in the City under various growth scenarios, as compared to the currently-available supply.

- **Finding 1: Auburn's currently-available land supply will accommodate 1,045 single family residential units of various densities.** This figure is based primarily on an evaluation of the City's 2013 Housing Element, which provides a detailed accounting of the available land supply. New Economics has discussed and verified these figures with City staff, and has prepared an updated (2016) estimate.
- **Finding 2: The City has experienced a range of annual absorption between 40 and 60 single family residential units between 1997 and 2015.** While the overall average absorption rate during this entire period was 40 units per year, this period including a time of rapid homebuilding activity in the late 1990's and early 2000's during which absorption activity hit an average 60 units per year. This historical long-term range of between 40 and 60 units per year represents a likely spectrum that the City can expect to experience for the foreseeable future. *The latest future housing projections prepared by SACOG call for approximately 50 units per year in Auburn, which represents a plausible "mid-point" between the low-end and the high-end of the range described above, and is used as the "base" estimate in this analysis.*
- **Finding 3: Based on a predicted "base" growth rate of approximately 50 units per year, the City will essentially exhaust its supply of single family land in 20 years, leaving enough vacant land to accommodate just 45 single family units.** If the growth rate that actually occurs during the next twenty years differs from the "base" estimate of 50 units per year, the true amount of growth experienced could be slightly higher or slightly lower than the current supply would allow. A low-absorption scenario (of approximately 40 units per year) could occur if a major recessionary period that substantially hinders the magnitude of homebuilding in the region sets in, much like what transpired during the latter half of the 2000's. In this case, Auburn would have sufficient land to accommodate single family development over the next 20-year period, but it will likely exhaust this land supply within approximately 25 years. A high-absorption scenario (approximately 60-plus units per year) could occur if the pace of regional homebuilding activity increases, and/ or if Auburn is able to attract a larger share of regional growth than it has historically. In this case, Auburn would exhaust its available single family land more quickly than 20 years.

- Finding 4: The City may need to annex additional residential areas, such as the Project, to the extent that demand for growth corresponds to master plan areas like the Project.** The City only has one specific plan area that can accommodate rapid growth; other vacant land can be characterized as infill development that is made up of multiple, non-contiguous parcels that are separately owned. Should demand for new housing in Auburn occur at levels that are consistent with or in excess of the high end of the range anticipated by SACOG and past growth periods in the City, new master plan areas like the Project could accommodate such demand.

**1** *Overall Summary of Residential Supply and Demand  
 Single Family Residential, City of Auburn, 2017 - 2036*

Item	Plausible Range of Development		Mid-Point Estimate (50 units/ yr)
	Low Estimate (40 units/ yr)	High Estimate (60 units/ yr)	
Supply of Developable S.F. Land	1,045 units	1,045 units	1,045 units
20-Year Demand for S.F. Development	800 units	1,200 units	1,000 units
<b>Remaining Supply / (Undersupply)</b>	245 units	(155) units	45 units

*Prepared by New Economics & Advisory, June 2016.*

Sources: City of Auburn, Construction Industry Research Board, SACOG, and New Economics.

## Project Description

The Project consists of 65 new single family homes on approximately 28 acres of land at the southwestern corner of Collins Drive and Mount Vernon Road in unincorporated Placer County, as shown in **Figure 2** and **Map 1**. The annexation would include the land planned for development as a residential subdivision, as well as 13 acres owned by the Auburn Cemetery District and nearly 5 acres of property owned by the Union Pacific Railroad Company (UPRR).

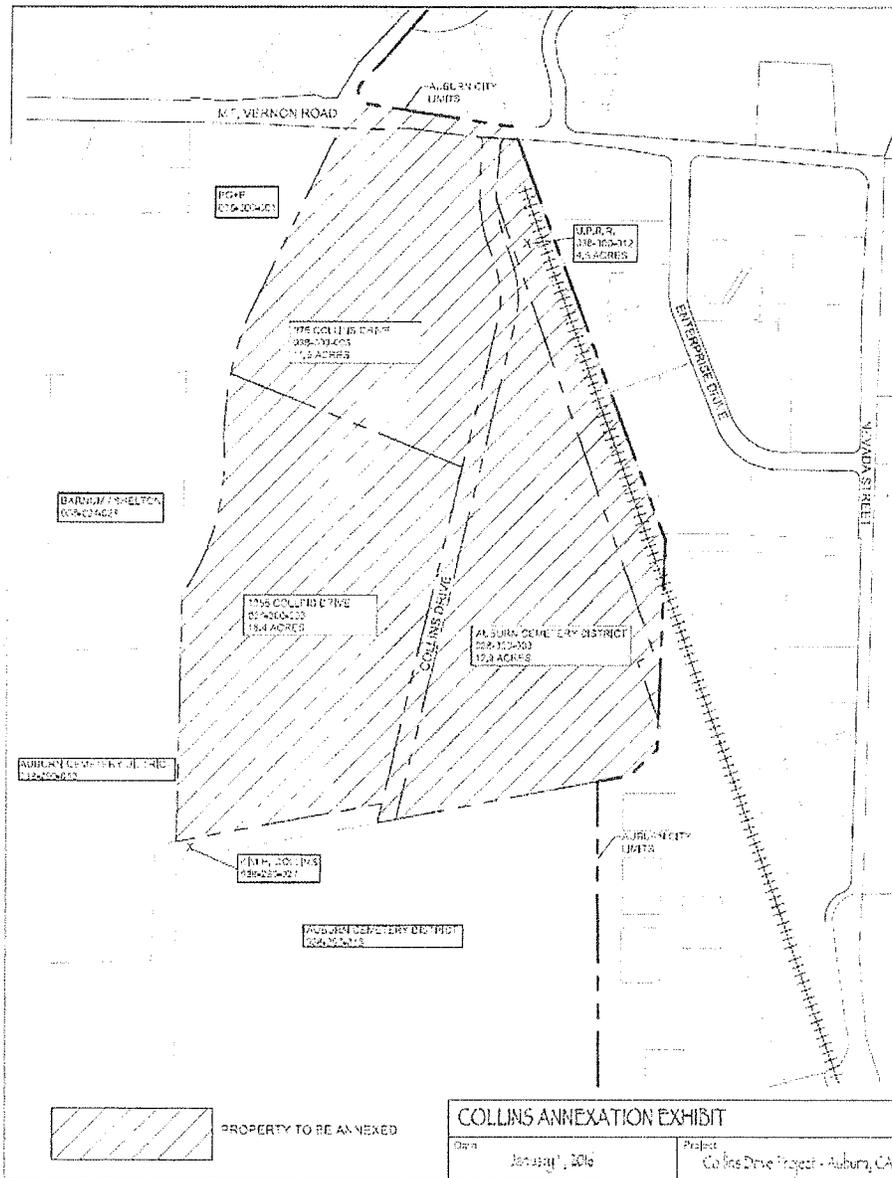
### **2** Land Use Summary Collins Drive Residential Subdivision

<u>Land Use Category</u>	<u>Units</u>	<u>Acres</u>
<b><u>Residential</u></b>		
Single Family Lots	65	9.2
<b><u>Other</u></b>		
Open Space		6.4
Streets and Utilities		3.8
Undeveloped		8.4
<b>Total</b>		<b>27.8</b>

*Prepared by New Economics & Advisory, June 2016.*

*Sources: Dudek*

**M1** Project Location  
 Collins Drive Residential Subdivision



## Study Methodology

Placer LAFCO has responsibility for regulating boundaries and boundary changes for public agencies and special districts in Placer County (County), and has developed a set of guidelines for the market absorption study. According to Section 3.2.1.a of the LAFCO Guidelines, a market absorption study analyzing proposed uses in relation to similar uses in the city and city's sphere shall:

- Cover a 15- to 20-year planning horizon;

- Include all major land use categories proposed within annexation;
- Identify project and citywide buildout capacities for the proposed land uses;
- Provide an analysis of the competitive strength of the affected city land uses within the regional market and the proposed project land uses within the anticipated city capture.
- Contain a breakdown of projected absorption and supply margins over time by both land use and by geographic planning area in the city. At a minimum, the analysis should distinguish projected absorption between the proposed annexation area and the existing (infill) portion of the city.
- Include a summary of key assumptions and methodologies used in generating the absorption projections.

New Economic has performed a market absorption analysis for the proposed Project according to these stipulations, which includes a detailed assessment of both projected demand for single family development in the City, as well as the City's ability to satisfy future growth through existing land identified for future residential development.

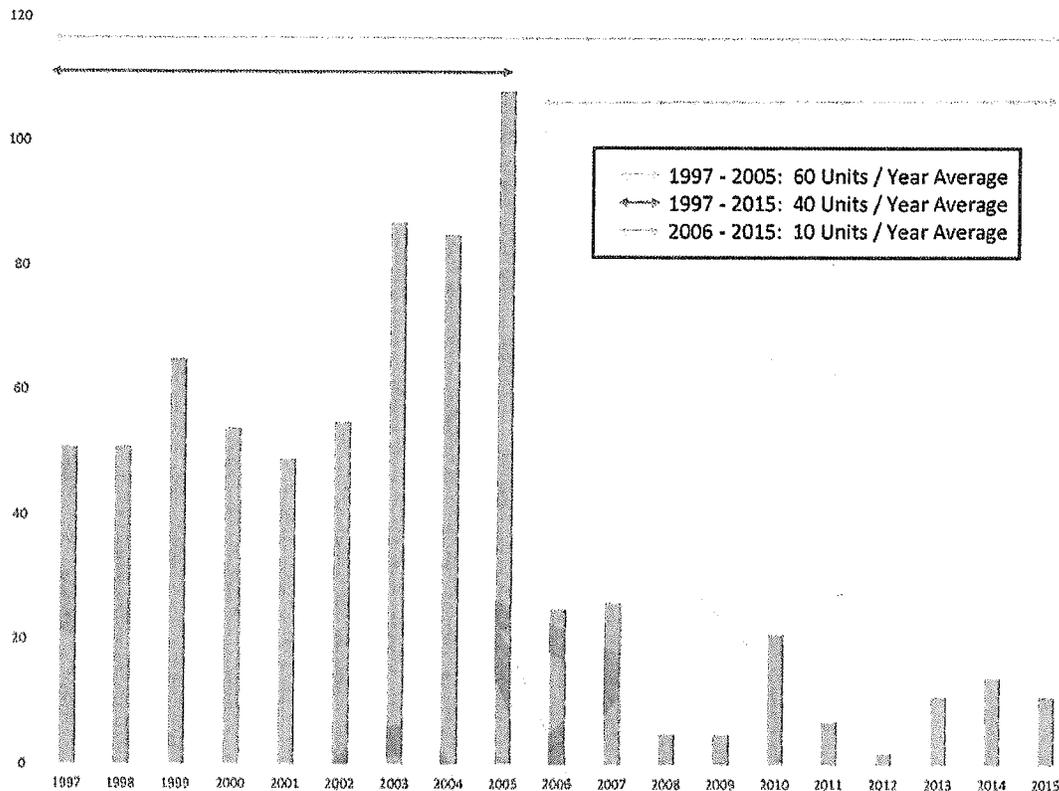
## Residential Land Demand

New Economics assessed the potential future demand for single family development in Auburn by studying the City's competitive position for this land use type, analyzing historical development patterns and absorption rates, and reviewing regional projections of population and households.

### Permit Activity

New Economics performed an evaluation of the City's historical building permit activity over the past 19 years, from 1997 to 2015. As shown in **Figure 3**, below, the City has experienced varying levels of single family development during this period, which can essentially be characterized by two major periods. The first period, which occurred during the years between 1997 and 2006 was relatively "normal" in terms of development activity, and produced approximately 60 units per year in the City, on average. The second period, which was heavily characterized by the impacts of the "Great Recession," which had a massive downward impact on development activity throughout the Sacramento region, produced only approximately 10 building permits per year, on average. Over a more long-term basis, comprising the full nineteen-year period that includes recessionary periods, periods of high-growth, and "normal" periods, the City of Auburn saw approximately 40 building permits per year, on average.

### 3 Annual Single Family Residential Building Permits City of Auburn, 1997 - 2015



#### Projections

The historical absorption activity described above was compared to future growth projections in the City of Auburn and surrounding area. The Sacramento Area Council of Governments (SACOG) has published its most recent estimate of future regional growth associated within the Metropolitan Transportation Plan/ Sustainable Communities Strategy (MTP/SCS) in October, 2013. The SACOG projections show that Auburn is predicted to grow by approximately 1,263 units between 2012 and 2036, indicating a growth increment of approximately 53 residential units per year, as shown in **Figure 4** below.

**4** *Projected Development - City of Auburn Housing Units*  
*SACOG Draft Preferred Scenario*

<b>Geographic Category</b>	<b>Existing 2012</b>	<b>Predicted 2036</b>	<b>Change 2012-2036</b>	<b>Avg. Ann. Change 2012-2036</b>
Center and Corridor Communities	482	749	267	11
Established Communities	5,631	5,910	279	12
Developing Communities [1]	12	729	717	30
<b>Total Auburn</b>	<b>6,125</b>	<b>7,388</b>	<b>1,263</b>	<b>53</b>

*Prepared by NewEconomics & Advisory, June 2016.*

[1] "Developing Communities" category consists of the Baltimore Ravine Specific Plan.

Source: SACOG MTP/SCS Projections

**Auburn’s Share of Regional Growth**

In order to provide a comprehensive depiction of Auburn’s future growth, New Economics evaluated the City’ role in the larger Sacramento region and considered the potential for this role to change in the future. Auburn has long been considered a small, rural community on the fringe of the Sacramento region, and thus an area that is subject to minimal growth. Historically, Auburn has captured only a very small share of regional growth (accounting for just 1.3 percent of the County’s growth in housing units over the past twenty years), while other communities that are more proximate to the primary job centers – such as Roseville and Rocklin – have absorbed the majority of housing growth in the County. As Roseville and Rocklin approach buildout, more outlying locations, such as Lincoln, Loomis, and Auburn may capture a larger share of County growth. In fact, Lincoln has already reached this threshold, as it experienced a substantial change in growth rates during the previous growth cycle prior to the Great Recession. In 1999, Lincoln produced 173 new residential units (which was 4.5 percent of the County), yet by 2005, Lincoln was growing by over 2,000 units per year (comprising approximately 50 percent of the County’s residential growth).

During this time, Lincoln experienced a shift, changing from a rural, outlying community to a proper suburb that could accommodate a large degree of growth with its vast amount available land. In the future, Auburn could experience an analogous shift to higher levels of regional demand for housing in the mid- to long-term, as growth continues to grow “outward” from the central urban hub. In this case, it is plausible that the demand for housing in Auburn could greatly exceed historical levels of growth, and would lend support for utilizing the high-end of the range (approximately 60 units

per year). Were Auburn to expand its land base, growth rates could plausibly exceed the high end of the historical range, although this analysis does not consider such higher rates of growth.

### Summary of Projected Demand

In summary, New Economics has defined a likely range of future development, which ranges from approximately 40 units per year on the low-end (based on the growth rate observed between 1997 and 2015) up to approximately 60 units per year on the high-end (based on the growth rate observed between 2006 and 2015). The midpoint of 50 units per year can be considered a reasonable, yet conservative, compromise between the high-end and the low-end of the estimated range and is the “base” projection used in this analysis.

Based on these three potential annual growth increments, Auburn can be expected to experience growth ranging from 800 to 1,200 total single family residential units during the twenty year period from 2017 to 2036, as shown in **Figure 5** below.

**5** *Summary of Estimated Demand for Housing  
 Single Family Units, City of Auburn, 2017 - 2036*

Item	Low Estimate	Mid- Estimate	High Estimate
Annual Absorption	40	50	60
20-Year Demand for New Units	800	1,000	1,200

*Prepared by New Economics & Advisory, June 2016.*

Source: New Economics & Advisory

## **Residential Land Supply**

New Economics evaluated the quantity of available developable land that can accommodate future development. The primary source of this information was the City of Auburn’s General Plan Housing Element, prepared in 2013. The 2013 Housing Element identified 315 acres of available residential land supply, which, given current zoning designations, could accommodate approximately 1,075 single family residential units. Since the 2013 Housing Element, very little residential development (28 units) has occurred in Auburn, according to the City and as supported by building permit data supplied by the Construction Industry Research Board. Thus, New Economics has utilized the amount of supply from the 2013 Housing Element and deducted 28 units, leaving 1,045 units as the current available supply.

**Figure 6** shows the quantity of developable residential land in the City. According to City staff, there are two primary sources of residential land supply in the City: 1) “greenfield” development which consists solely of the approved Baltimore Ravine Specific Plan (BRSP) currently under construction, and 2) vacant infill land, which is spread throughout the City and consists of residentially-zoned land that has not experienced development.

- **Greenfield Land.** The BRSP had 425 single family units yet to be developed, as of 2013.
- **Infill Land.** The City had approximately 648 remaining “infill” lots that could accommodate single family development, as of 2013. This number was estimated by the City by quantifying the total amount of residentially-zoned un-built land, by zoning designation and density. The City then assumed that approximately 65 percent of this total stock could reasonably be expected to develop, given various development constraints such as steep topography and other factors. Other factors, such as infrastructure constraints, may further limit the quantity of infill land that can feasibly develop within the foreseeable future; however, the precise degree to which these factors will impact the amount of infill land developed is unknown at this time.
- **Total Land Supply.** New Economics deducted the number of units constructed since 2013, in order to arrive at a current estimate of future single family residential supply. As shown in **Figure 6**, the City currently has land that is sufficient to accommodate approximately 1,045 single family residential units.

**6** *Single Family Residential Land Supply*  
 City of Auburn

Category/ Zoning	Description	Acres	Units [1]
<b>BRSP</b>			
R-1	1 - 4 Units/ Acre	67.0	145
R-2	1 - 10 Units/ Acre	17.0	150
R-3	5 - 15 Units/ Acre	17.0	130
<b>Subtotal BRSP</b>		<b>120.0</b>	<b>425</b>
<b>Vacant Infill Land [2]</b>			
AR	1 Unit/ Acre	125.5	95
R1-20	1 Unit/ 20,000 Sqft	18.5	33
R1-15	1 Unit/ 15,000 Sqft	29.9	57
R1-10	1 Unit/ 10,000 Sqft	114.2	350
R1-8.5	1 Unit/ 8,500 Sqft	8.5	28
R1-7	1 Unit/ 7,000 Sqft	14.3	58
R-2 [3]	MDR: 6 - 10 Units/ Acre	2.7	27
<b>Subtotal Vacant Infill Land</b>		<b>313.5</b>	<b>648</b>
<b>Total BRSP and Infill</b>		<b>433.5</b>	<b>1,073</b>
<b>Less Development To Date [4]</b>			<b>(28)</b>
<b>Total Remaining SF Units</b>			<b>1,045</b>

*Prepared by New Economics & Advisory, June, 2016.*

[1] Auburn estimated the amount of growth on "infill" lots to equal 65% of the maximum density allowed for each zoning category, in order to account for topography and other constraints.

[2] Vacant infill land estimate does not include "underutilized" lands that are currently developed but could redevelop as a different or more intensive use.

[3] R-2 MDR units are estimated to contain 16 to 27 units, depending upon the actual densities constructed. New Economics selected the high end of this range (27 units), in order to be conservative.

[4] New Economics has deducted the number of building permits that have been pulled since the 2013 Housing Element (as of May, 2016) in order to arrive at an up-to-date estimate of future development supply.

Sources: City of Auburn Housing Element, 2013, CIRB, and New Economics.

## **Appendix A: Detailed Backup Data and Calculations**

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**A-1** Annual Single Family Residential Building Permits  
 Select Cities in Placer County: 1997 - 2015

Sector	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total	Average Annual
Auburn	51	51	65	54	49	55	87	85	108	25	26	5	5	21	7	2	11	14	11	732	39
% of County	1.7%	1.3%	1.7%	1.1%	1.0%	1.0%	1.9%	1.8%	2.2%	1.0%	1.2%	0.4%	0.5%	1.9%	0.9%	0.2%	0.9%	0.9%	0.6%	1.3%	
Lincoln	80	173	888	1,490	1,443	1,441	1,803	2,100	2,689	938	379	165	122	90	92	223	248	286	234	14,884	783
% of County	2.7%	4.5%	22.9%	31.4%	30.6%	26.5%	38.6%	44.3%	55.4%	36.7%	17.4%	12.4%	11.6%	8.3%	11.5%	18.4%	19.9%	17.7%	11.7%	27.1%	
Rocklin	570	843	983	1,036	1,071	906	467	461	274	213	241	166	128	122	77	104	125	306	386	8,479	446
% of County	18.9%	21.7%	25.4%	21.8%	22.7%	16.7%	10.0%	9.7%	5.6%	8.3%	11.1%	12.5%	12.1%	11.2%	9.6%	8.6%	10.0%	18.9%	19.4%	15.4%	
Roseville	1,688	2,034	1,204	1,393	1,456	2,300	1,467	1,015	826	752	1,050	676	602	635	411	663	528	644	927	20,271	1,067
% of County	56.1%	52.4%	31.1%	29.4%	30.9%	42.3%	31.4%	21.4%	17.0%	29.4%	48.2%	50.8%	57.0%	58.3%	51.2%	54.8%	42.3%	39.8%	46.5%	36.8%	
<b>Total Placer County [1]</b>	<b>3,011</b>	<b>3,878</b>	<b>3,875</b>	<b>4,745</b>	<b>4,717</b>	<b>5,441</b>	<b>4,670</b>	<b>4,743</b>	<b>4,858</b>	<b>2,557</b>	<b>2,177</b>	<b>1,330</b>	<b>1,056</b>	<b>1,090</b>	<b>802</b>	<b>1,209</b>	<b>1,249</b>	<b>1,620</b>	<b>1,994</b>	<b>55,022</b>	<b>2,896</b>

Prepared by New Economics & Advisory, June 2016.

[1] In addition to the cities listed above, the "Total Placer County" category includes the cities of Loomis and Colfax, as well as the unincorporated area of the County.

Source: Construction Industry Research Board

# EXHIBIT 4

## Public Services Plan

## Annexation Area

### I. INTRODUCTION

This Public Service Plan (PSP) for the Collins Drive Annexation Area (Annexation Area) has been prepared in accordance with Placer Local Agency Formation Commission (LAFCO) service provision policies associated with the Cortese-Knox-Hertzberg Local Government Reorganization Act. It is being submitted as part of the application for annexation of the proposed Annexation Area to the City of Auburn (City).

As shown on **Figure 1**, the proposed Annexation Area consists of approximately 48.70 acres of land in Placer County. The Annexation Area is located just outside of the City of Auburn city limits, within the City's Sphere of Influence. Mt. Vernon Road is located along the northern boundary of the Annexation Area. Collins Drive, which is accessed from Mt. Vernon Road, bisects the proposed Annexation Area. East of Collins Drive and within the Annexation Area, is approximately 4.50 acres of property owned by the Union Pacific Railway (UPRR) and a vacant, 12.9 acre parcel owned by the Auburn Cemetery. The area south of the proposed Annexation Area includes an existing industrial office development (situated within the City of Auburn) as well as the New Auburn Cemetery and a residential lot owned by Kim Collins (both situated in Placer County). The cemetery and the Kim Collins property are both accessed from Collins Drive, while the industrial office development is accessed from Blocker Drive. The western side of the Annexation Area is bounded by the Pacific Gas & Electric (PG&E) Wise Penstock, residential homes and undeveloped property owned by the Auburn Cemetery District. The proposed Annexation Area consists of the following properties:

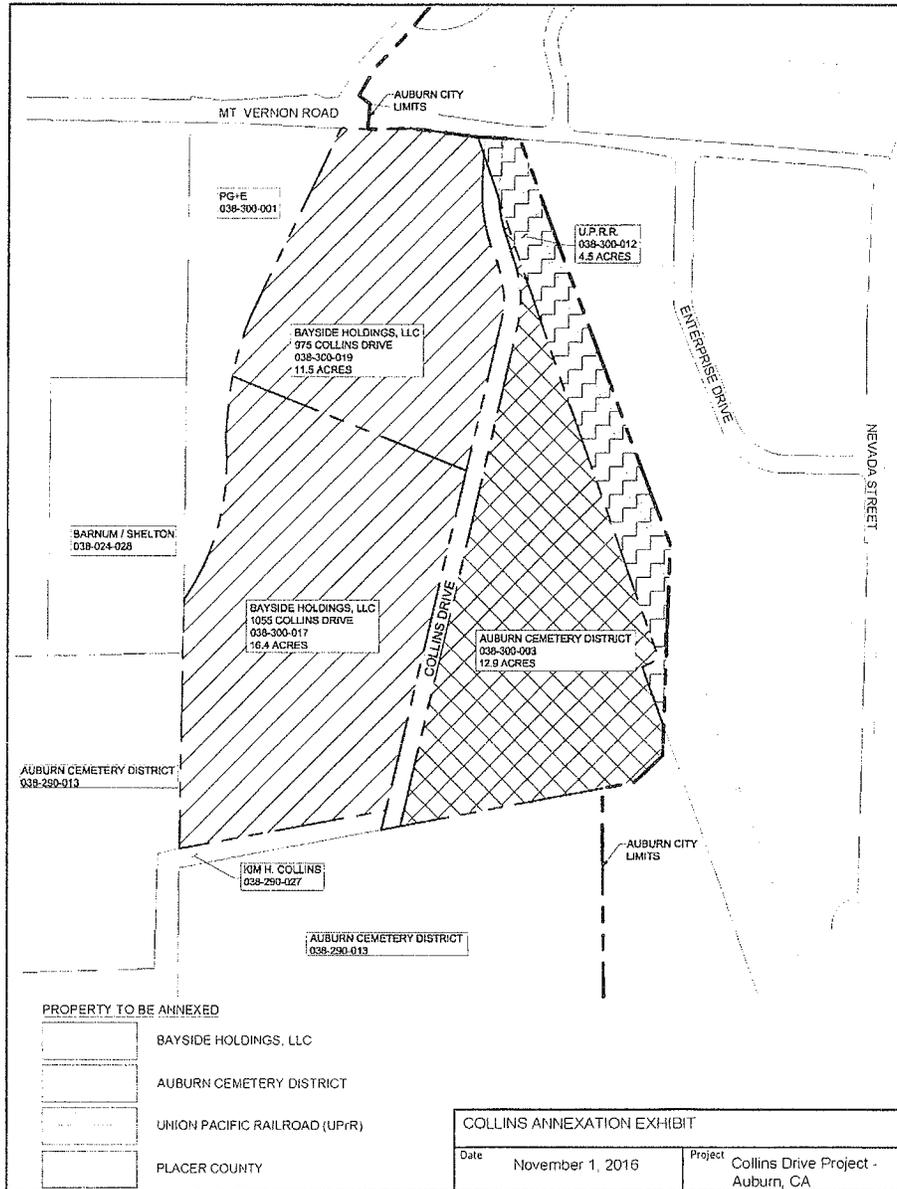
Properties	Acreages
Subdivision Property (1055 Collins Drive and 975 Collins Drive (APNs 038-300-017 & 038-300-019))	27.9 acres
Auburn Cemetery District Property (APN 038-300-003)	12.9 acres
Union Pacific Railroad (UPRR) Property	4.50 acres
Collins Drive Right-of-Way (Placer County)	2.70 acres
Collins Drive Right-of-Way (UPRR)	0.20 acres
Mt. Vernon Road Right-of-Way (Placer County)	0.50 acres
<b>Proposed Annexation Area</b>	<b>48.70 acres</b>

Bayside Holdings, LLC is proposing to develop a 65-lot single-family residential subdivision on the 27.9 acres (the "subdivision property") located at the southwesterly corner of Collins Drive and Mt. Vernon Road (1055 and 975 Collins Drive, APNs 038-300-017 & 038-300-019). The subdivision property currently has two occupied single-family homes onsite, one abandoned home, and three cell phone towers (one abandoned and two in operation). All of the existing homes would be removed for the proposed subdivision development, in addition to the abandoned cell phone tower.

# Public Services Plan – Collins Drive Annexation Area

The Auburn Cemetery District and UPRR properties are included within the Annexation Area to address the Placer County LAFCO policy that discourages annexations that create an area or “island” of land that is substantially surrounded by property that is within the City limits.

**Figure 1: Annexation Exhibit**



## **Public Services Plan – Collins Drive Annexation Area**

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The 12.90-acre Auburn Cemetery District property is currently vacant and no new development is proposed for the parcel at this time. Because the Cemetery District property is being included within the proposed Annexation Area, the City is proposing to assign new land use and zoning designations. The proposed zoning for the Cemetery District property would allow for a maximum of 56 10,000 sf residential lots. This Public Services Plan includes a discussion of the potential service demands for buildout of the Auburn Cemetery District property, in addition to the subdivision property, in order to address all future service needs within the Annexation Area.

The 4.50-acre UPRR property includes a segment of the UPRR railroad tracks that continue south into the City of Auburn. There is no new development proposed for the UPRR property. The City's proposed land use and zoning designations for the UPRR property would be consistent with the UPRR property immediately adjacent and in the City of Auburn.

This PSP includes the following information to address the Placer LAFCO service provision policies:

- Services currently provided to the proposed Annexation Area;
- Services to be extended to the proposed Annexation Area;
- A comparison of existing and proposed service levels and any effects the changes in services may have on adjacent areas, including any resource shortfalls or facility inadequacies currently experienced; and
- Financing methods that would potentially affect the proposed Annexation Area.

## **II. PUBLIC SERVICES**

### **Water Supply and Distribution**

Water supply and service to the annexation area is provided by the Placer County Water Agency (PCWA). PCWA is the primary water resource agency for Placer County serving more than 38,500 water accounts in several water service areas. These services include 602 miles of treated water pipeline, 8 treatment plants with a capacity of 83 million gallons per day (mgd) (Genesis, 2016a). The Annexation Area is served by PCWA's Auburn Water Treatment Plant and associated distribution system. Adjacent to the Annexation Area, within the Mt. Vernon Road Right of Way is an existing 12-inch Ductile Iron pipe (DIP). There are currently two (2) 5/8-inch service laterals serving the Annexation Area from the existing 12-inch DIP.

In the Annexation Area, the proposed subdivision with 65 single-family residences would require approximately 93,600 gallons of water per day (0.09 mgd), based on the City's generation rate of 1,440 gallons per day for a single-family residence. The additional water that

## Public Services Plan – Collins Drive Annexation Area

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would require treatment represents approximately 0.11 percent of the PCWA's total treatment capacity. The Auburn Cemetery District property, if developed in the future, could result in up to 56 single-family homes that would require approximately 80,640 gallons of water per day (0.08 mgd), based on the City's generation rate of 1,440 gallons per day for a single-family residence. The additional water that could require treatment represents approximately 0.09 percent of the PCWA's total treatment capacity. Combined, the subdivision property and the Cemetery District property, if fully developed, would require approximately 174,240 gallons of water per day (.17 mgd), which would represent approximately .20 percent of PCWA's total treatment capacity.

As indicated in the *Preliminary Water Distribution Study for the Collins Drive Subdivision* prepared for the proposed subdivision (Genesis, 2016a) and attached as **Exhibit 1** to this report, the proposed subdivision development would connect to the existing PCWA off-site 12-inch water main within the Mt. Vernon right-of-way at two locations. One connection would be within the Mt. Vernon and Collins Drive intersection and one would be near the Mt. Vernon and Merry Knoll intersection. One 8-inch main would traverse south on Collins Drive to the proposed access road to the proposed subdivision site where it would veer west up into the proposed subdivision area and connect to the 8-inch 3,180-foot, full loop, distribution main. The other 8-inch main would head south from the connection with the existing main near Mary Knoll and Mt. Vernon and then traverse within a 20-foot utility easement into the proposed subdivision site and connect with the future 8-inch distribution main. All water lines would be located under the public right-of-way or contained within public utility easements traversing the property and would be designed to meet City Fire requirements.

Prior to construction, the developer of the subdivision would be required to enter into a facilities agreement with PCWA and pay all fees and charges required by the agency for water connection and for the onsite and offsite pipelines needed to supply water to the development. Future residents of the proposed subdivision would be required to pay user fees for water service.

### **Wastewater Conveyance and Treatment**

Wastewater treatment in the Annexation Area is provided by the City of Auburn. The City of Auburn owns its own wastewater treatment and collection system, which serves the municipal boundaries of the City. Operation and maintenance of the wastewater treatment and collection system is performed under contract by Operations Management International. The City's Wastewater Treatment Plant (WWTP) is located west of the City limits in the Ophir area, approximately two miles south of the Annexation Area. The plant is permitted to discharge its treated effluent into Auburn Ravine Creek to a maximum flow of 1.67 mgd. The effluent is treated to tertiary treatment, which is the highest level of treatment required by the State of California. The City is in the process of implementing a number of secondary process upgrades to the WWTP to improve performance, add process redundancy and comply with new permit

## Public Services Plan – Collins Drive Annexation Area

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limitations. The upgrades improve plant reliability, provide additional capacity for City growth, utilize energy-efficient technologies and allow for future expansion of the plant consistent with the City's General Plan.

The proposed 65-lot subdivision within the Annexation Area would be expected to generate approximately 19,500 gallons (0.0195 mgd) of wastewater, based on the City's estimated sewage generation rate of 300 gallons per dwelling unit for single-family residential units. As previously discussed, the City's WWTP has a permitted discharge capacity of 1.67 mgd. The addition of wastewater flows from the proposed subdivision represents approximately 1.2 percent of the permitted discharge capacity. If the cemetery property is developed with 56 single-family residences in the future, it could be expected to generate approximately 16,800 gallons (.0168 mgd) of wastewater. This would represent approximately 1.0 percent of the permitted discharge capacity. Combined, the subdivision property and the Cemetery District property would generate 36,300 gallons (.0363 mgd) of wastewater, which represents approximately 2.17 percent of permitted discharge capacity.

The subdivision's proposed sewer system would connect to the existing City sewer main at an existing sanitary sewer manhole within the Mt. Vernon right-of-way at the Mt. Vernon and Grove Court intersection. The system would connect to an existing 8-inch stub at the manhole with an 8-inch main which would traverse south down Collins Drive approximately 1,535 feet where it would veer west up into the subdivision area and connect to the 8-inch 3,180-foot sewer collection main within the proposed subdivision. An additional transmission line from the collection main would connect with the main within Collins Road approximately 480 feet from the Mt. Vernon and Collins Drive intersection. The proposed main would extend down Collins Drive just past the subdivision's southern property line and terminate at a proposed manhole for future connections. All mains, trenches, cleanouts, laterals and manholes would be required to be designed per the City of Auburn Standard Specifications and would be located within the public right-of-way or contained within public utility easements traversing the property. All main lines would be 8-inch SDR35 pipe (Genesis, 2016b). For additional information regarding wastewater conveyance for the proposed subdivision, refer to the attached *Preliminary Sewer Study for the Collins Drive Subdivision* (Genesis, 2016b) included as **Exhibit 2** to this report.

As part of the proposed subdivision development within the Annexation Area, the extension of the existing sewer line would be financed and installed by the developer in accordance with City standards. Prior to issuance of building permits, the developer would be required to pay sewer connection fees to the City. Future residents of the subdivision development would be required to pay monthly sewer fees.

## Public Services Plan – Collins Drive Annexation Area

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### Stormwater Drainage

The City of Auburn Department of Public Works operates storm water drainage systems throughout the City in the form of underground piping systems, detention basins and retention facilities. The ultimate destination of stormwater flows from the Annexation Area is the Auburn Ravine, located generally south of the Annexation Area. The subdivision drainage design will incorporate Low Impact Development (LID) strategies according to the West Placer Storm Water Quality Design Manual.

Existing drainage patterns in subdivision portion of the Annexation Area are primarily overland flow to the west and east, as shown on **Exhibit 3** of the *Preliminary Drainage Report for the Collins Drive Subdivision* (Genesis Group, 2016c), attached as Exhibit 3 to this report. The eastern drainage enters a vegetated roadside ditch on the west side of Collins Drive and is routed to three existing culverts, which route the flow on the east side of Collins Drive into existing vegetated areas with poorly established swales. The western drainage sheet flows to the PG&E Penstock access road and is routed to the western side of the road into existing vegetation. Both east and west drainage areas ultimately route to the Auburn Ravine. A portion of the northern area of the property drains to Mt. Vernon, where it is routed via a roadside asphaltic dike to a culvert crossing under Collins Drive and ultimately combining with the eastern drainage flows.

The proposed subdivision would add impervious surfaces, including structures, concrete, and asphalt to the Annexation Area, which would result in an increase in stormwater runoff rates from the site. According to the drainage report, there would be a total of 6.93 acres of impervious surfaces associated with the proposed subdivision, an increase of 5.5 acres over the site's existing impervious surfaces (Genesis, 2016c).

The proposed subdivision would utilize seven high-density polyethylene (HDPE) culverts to route stormwater flows across the main and access roads and to direct flows to three proposed detention basins. A Homeowners Association (HOA) established for the proposed subdivision would own and maintain the detention basins.

The proposed subdivision within the Annexation Area would also include vertical concrete curb gutters at the southern edge of Mt. Vernon Road to route runoff to Collins Drive. Collins Drive would be improved with vertical concrete curb and gutters along the western edge. The proposed subdivision would replace the three existing culverts with HDPE culverts with outlets at, or directly adjacent to, the existing locations to maintain existing flow patterns. The culvert outlets would include velocity dissipation devices in the existing drainage courses. The proposed detention basin outlets would be designed to drain within 48 hours with outlet flows being less than or equal to existing runoff flow volumes. The outlets would be designed to have staged outflow for the 2-year, 10-year and 100-year storm events (Genesis, 2016c).

## **Public Services Plan – Collins Drive Annexation Area**

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The residential lots associated with the subdivision propose to utilize LID techniques to infiltrate onsite. The outside loop lots would utilize back and side lot rock-lined swales at the top of the fill slopes to convey potential runoff to the natural infiltration areas within an onsite open space lot. The inside loop lots would also have rock-lined swales where necessary and be sloped to drain to the main loop road. Any cross lot drainage would have the necessary easements for access, maintenance, and drainage flow.

All necessary drainage improvements would be financed and installed by the developer in accordance with City standards.

Proposed development within the Annexation Area would be subject to any adopted City development fees targeted for stormwater drainage. Development fees collected by the City could be used to help fund the construction and maintenance of stormwater drainage improvements within the annexation area.

### **Transportation/Roads**

The City of Auburn is responsible for all roadway operations within its corporate city limits. Primary access to the Annexation Area would continue to be provided from the existing Collins Drive roadway accessed from Mt. Vernon Road.

The subdivision proposed for the Annexation Area would be responsible for widening Collins Drive, providing full improvements (curb, gutter, and sidewalks) on the subdivision side (west side) of Collins Drive and adding a cul-de-sac at the south end of Collins Drive for improved safety and to accommodate the entrance to the New Auburn Cemetery and the existing private access road. The proposed subdivision would also be responsible for the widening of Mt. Vernon Road and the construction of full improvements (i.e. curb, gutter and separated sidewalk) along the subdivision frontage. Pavement striping will be provided along Mt. Vernon Road to delineate travel lanes and turn pockets.

Within the proposed subdivision in the Annexation Area, three new public two-lane roads designed to meet City design standards would be constructed. Acorn Street would have a 41 ft. right-of-way and Grinding Rock and Arrowhead streets would have 43 ft. right-of-ways.

Upon successful completion of the infrastructure warranty period, the maintenance of the roads within the Annexation Area would be provided through the City's Public Works Department. The developer of the proposed subdivision would be required to construct and dedicate to the City the new local street system to serve the subdivision.

Proposed development within the Annexation Area would be subject to any adopted City development fees targeted for roadway and transportation improvements. Development fees

## **Public Services Plan – Collins Drive Annexation Area**

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collected by the City could be used to help fund the construction and maintenance of street improvements within the annexation area.

### **Solid Waste**

Recology Auburn-Placer provides solid waste collection services in the City of Auburn. Waste collected by Recology Auburn-Placer is transported and disposed of at the Western Regional Landfill and Materials Recovery Facility, located between the cities of Roseville and Lincoln. The Western Regional Landfill has a permitted daily throughput of 1,900 tons per day. The landfill's remaining capacity is 29,093,819 cubic yards and is sufficient for the landfill to remain operation until 2058 (CalRecycle, 2016).

The proposed 65 residential units within the Annexation Area would generate approximately 579 pounds per day (106 tons per year) of solid waste, based on the City's estimated solid waste generation rate of 8.9 pounds per day for single-family residential units. If the Cemetery District property is developed in the future with up to 56 residential lots, it would be expected that an additional 498 pounds per day (91 tons per year) would be generated. Combined, the subdivision property and the Cemetery District property could generate up to 1,077 pounds of solid waste per day (197 tons per year). Recology Auburn-Placer would provide weekly waste pickup services to the subdivision site. The Western Regional Landfill has sufficient permitted capacity to accommodate the proposed subdivision's solid waste disposal needs

### **Electricity and Natural Gas**

PG&E currently provides the City of Auburn with electrical and natural gas service through a State-regulated public utility contract and would provide those services to the proposed Annexation Area.

The proposed 65 single-family residences within the proposed subdivision and future residences that could be potentially be developed on the Cemetery District property within the Annexation Area would result in an increased demand for electrical and natural gas services. Underground service extensions of PG&E's electrical and natural gas transmission lines would be required to provide the appropriate service levels to the subdivision site. Underground infrastructure would be required to service homes within the proposed Annexation Area.

All electrical and natural gas service infrastructure would be installed concurrently with other underground utilities during construction of infrastructure for development within the Annexation Area. All necessary improvements to electrical utilities would be installed prior to issuance of building permits for individual lots.

## **Public Services Plan – Collins Drive Annexation Area**

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Costs for utility extensions would be borne by the new development within the Annexation Area, with service to individual customers available upon demand.

### **Parks and Open Space**

Parks and recreation services in Auburn are provided by the Auburn Area Recreation and Park District (ARD). ARD maintains 12 main parks totaling approximately 182 acres of parkland and a variety of pocket parks in neighborhoods. The nearest ARD-operated park to the Annexation Area is Herschel Young Park, located at 103 Sacramento Street approximately 0.75 mile southeast of the Annexation Area. Herschel Young Park is a neighborhood pocket park featuring picnic tables and benches. The nearest ARD main park to the Annexation Area is Recreation Park located at 123 Recreation Drive approximately 1.13 miles to the south. This 22-acre park features two playgrounds, picnic areas with barbeque pits, bocce ball and basketball courts, ball fields and a pool.

According to Section 158.336 of the City's Municipal Code, the goal for provision of parks and recreational services is 5 acres per 1,000 residents (City of Auburn 1993b). For land zoned R-1 and R-2, projects are required to provide 737 square feet (s.f.) of park land per dwelling unit or pay an in lieu fee (City of Auburn 1993). Based on this standard, the proposed subdivision within the Annexation Area would be required to provide approximately 47,905 s.f. of parkland. The proposed subdivision project includes two pocket parks which total 23,471 s.f.; or, 49% of the required parkland. The subdivision developer would then be required to pay a park fee based on the remaining obligation (51%). The standard park fee for a single-family dwelling unit is \$5,108 per dwelling unit. The remaining park fee obligation would be \$2,605.08 per unit (i.e. 51% of the standard fee).

### **Fire and Police Services**

Fire protection and emergency medical services in the City of Auburn are provided by the Auburn City Fire Department (AFD). The nearest AFD fire station is located at 226 Sacramento Street, less than one mile south of the Annexation Area. The construction of the 65 single-family homes on the subdivision property and potential future development of up to 56 single-family homes on the Cemetery District property within the Annexation Area would generate an additional population that could require fire protection and emergency medical services. Proposed development within the Annexation Area would be subject to any adopted City development fees targeted for fire services. Development fees collected by the City could be used to help fund construction of public safety services and/or hiring of additional staff. Currently, the City collects a facilities fee (FEP) of \$2,750 per dwelling unit. The FEP helps to fund equipment and facilities for all City services, including fire protection. All new residential development within the Annexation Area would be required to comply with the AFD's

## **Public Services Plan – Collins Drive Annexation Area**

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provisions related to building standards, fire protection and safety measures for residential and subdivisions (AFD, 2014).

The City of Auburn Police Department (APD) provides police protection services in city limits. Residential development within the Annexation Area would result in increased population that could require additional APD staff and equipment to patrol and respond to emergency calls. The APD headquarters is located at 1215 Lincoln Way in Auburn, approximately 0.90 mile southeast of the Annexation Area. The APD has a goal to maintain a service ratio of 2.0 officers per 1,000 residents (City of Auburn, 2010). Proposed development within the Annexation Area would be subject to any adopted City development fees targeted for police services. Development fees collected by the City could be used to help fund construction of public safety services and/or hiring of additional staff. As previously mentioned, the City collects a FEP of \$2,750 per dwelling unit to assist in funding for City equipment, facilities, and services, including police protection.

### **Public Schools**

The Annexation Area is located within the Auburn Union School District (AUSD) and the Placer Union High School District (PUHSD) boundaries. The AUSD serves the City of Auburn and surrounding unincorporated areas in Placer County. The AUSD currently operates four elementary schools and one middle school. The AUSD schools that would serve elementary and middle school students residing in the Annexation Area would be Skyridge Elementary and E.V. Cain S.T.E.M. Charter Middle School. The PUHSD currently operates six high schools and one adult school. Placer High School would serve high school students residing in the Annexation Area.

According to the AUSD website, district enrollment levels have been declining since the 2012-2013 school year (AUSD, 2015). The AUSD currently has a total of 2,052 students enrolled in its five schools. 475 students are enrolled at Skyridge Elementary at 664 students are enrolled at E.V. Cain S.T.E.M Charter Middle School for the 2015-2016 school year (CDE, 2016a). Placer High School has 1,381 students enrolled for the 2015-16 school year (CDE, 2016b). Placer High School has a current capacity of 1,458 students and a projected capacity of 1,500 students after completion of the improvements in the PUHSD Facilities Master Plan (PUHSD, 2016).

The proposed subdivision within the Annexation Area would construct 65 residential units that could house families with school-aged children. AUSD assumes that new residential construction would generate approximately 0.18 elementary students per unit and 0.046 middle school students per unit (City of Auburn, 2010). The PUHSD assumes that new development would generate 0.2362 high school students per unit (City of Auburn, 2010). According to these generation rates, the proposed subdivision within the Annexation Area would be expected to

## Public Services Plan – Collins Drive Annexation Area

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result in the addition of 11.7 elementary-aged students, 3.0 middle school-aged students and 15.4 high school-aged students. Future development of up to 56 single-family residences on the Cemetery District property could result in 10.08 elementary students, 2.5 middle school students, and 13.2 high school students. The addition of up to 27 new students to the AUSD, which has been experiencing declining enrollment since 2012, would not be likely to result in a significant impact on the AUSD schools or result in the need of construction of new or expanded school facilities. The project could add up to 29 new students to the PUHSD, which currently operates at 94.7 percent capacity.

The developer of the proposed subdivision within the Annexation Area would be required to pay school impact fees. Government Code 65996 requires project developers to pay impact fees to the school districts at the time of construction to offset increased student enrollment. As provided in the Government Code, payment of these fees constitutes adequate mitigation of impacts to the provision of school facilities. In this case, developers within the Annexation Area would be required to pay school impact fees to the AUSD and PUHSD. Payment of school impact fees would help to fund improvements contained in the PUHSD Facilities Master Plan, which would effectively increase the school's overall capacity by 3 percent.

### III. REFERENCES

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Genesis Group. 2016b. Preliminary Sewer Study for the Collins Drive Subdivision. November 9, 2016.

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## Exhibit 5

### AGREEMENT BETWEEN THE CITY OF AUBURN AND COUNTY OF PLACER REGARDING TRANSFER OF PROPERTY TAX

#### COLLINS DRIVE ANNEXATION

This AGREEMENT is entered into by and between the CITY OF AUBURN, a municipal corporation ("City") and the COUNTY OF PLACER, a political subdivision of the State of California ("County"), (collectively, the "Parties").

#### RECITALS

- A. The City has filed an application (#2019-06) with the Placer County Local Agency Formation Commission ("Placer LAFCO") for sphere of influence and reorganization amendments, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Section 56000, et. seq.). The City requests approval of annexation into the City boundaries of that real property legally described in Exhibit A and depicted in Exhibit B to this Agreement ("Annexation Area") and otherwise known as the "COLLINS" ("COLLINS").
- B. Said Annexation Area is currently located in the unincorporated portion of the County. This Agreement would enable the annexation of approximately 45.3 acres into the City. COLLINS proposes 65 housing units on 27.9 acres for an estimated 150 new residents.
- C. Revenue and Taxation Code section 99 requires a city seeking to annex property and the county affected by such annexation to agree upon a property tax revenue exchange agreement in order for Placer LAFCO to issue a Certificate of Completion for the annexation.
- D. The City and the County wish to work together to develop a fair and equitable approach to sharing of property tax revenues within the Annexation Area. The City and the County recognize the importance of the City's and the County's services and maintaining adequate service levels to the Annexation Area for the health, safety, and welfare of the citizens of the City and the County. The City and the County wish to cooperate as provided in this Agreement in an effort to address the City's and the County's fiscal considerations in providing such services, as well as their respective present and future economic and planning needs. This Agreement is intended to satisfy the requirements of Revenue and Taxation Code section 99 (b).

#### AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

Section 1. Recitals. The City and the County each acknowledge the factual accuracy of the Recitals and agree that the Recitals are incorporated in this Agreement as though fully set forth in full.

Section 2. Definitions.

"AFFECTED TAX RATE AREA" (or "TRA" or "TRAs") shall mean as to this Agreement those base property tax revenues and/or incremental property tax revenues available from the Annexation Area. As to this Agreement, the TRAs are: TRA 056-041 and 056-173.

The County Auditor has notified the City and County pursuant to Revenue and Taxation Code section 99(b)(2) that of the 1% Ad Valorem Property Tax imposed pursuant to Article 13A, section 1 of the State Constitution, the Property Tax Revenue which is subject to negotiated exchange consists of the following elements.

TRA	TRA 056-041	TRA 056-173
Placer County General Fund	30.0256%	29.9739%
CSA #28 – Zone 193	8.5029%	8.4779%
Total	38.5285%	38.4518%

The above percentages reflect the AB8 gross levy prior to adjustments and revenue transfers relative to the Education Revenue Augmentation Fund (ERAF). These amounts are estimates and are subject to correction.

“COLLINS DRIVE ANNEXATION” shall mean the development proposed for that real property described in Exhibit A. COLLINS is a 45.3 acre specific plan project located just outside of the City of Auburn city limits, within the City’s Sphere of Influence. Mt. Vernon Road is located along the northern boundary of the Annexation Area. Collins Drive, which is accessed from Mt. Vernon Road, bisects the proposed Annexation Area. The COLLINS project will result in the development of a 65-lot single-family residential subdivision on 27.9 acres located at the southwesterly corner of Collins Drive and Mt. Vernon Road (1055 and 975 Collins Drive, APNs 038-300-017 & 038-300-019). East of Collins Drive and within the Annexation Area, is approximately 4.50 acres of property owned by the Union Pacific Railway (UPRR) and a vacant, 12.9 acre parcel owned by the Auburn Cemetery.

“ANNEXATION AREA” shall mean the area legally described in Exhibit A and depicted in Exhibit B, in the unincorporated area of the County, which consists ± 45.3 acres.

“ANNEXATION DATE” shall mean the date specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code, §§ 56000, et seq.) as the effective date of Placer LAFCO’s action on the City’s application for the Annexation Area.

“PROPERTY TAX REVENUE” shall mean “ad valorem real property taxes on real property” as said term is used in Section 1 of Article 13A of the California Constitution and more particularly in subsection (c) of Section 95 of the California Revenue and Taxation Code, and includes both the base (total amount of property tax revenue based upon the AB-8 gross levy for the fiscal year) and the Incremental (amount of property tax revenue attributable to the annual tax increment change in assessed valuation in each fiscal year) property tax revenues as more particularly defined in Section 75 of the California Revenue and Taxation Code.

Section 3. General Purpose of Agreement. The general purpose of this Agreement is to devise an equitable exchange of Property Tax Revenue between the City and the County on and after the Annexation Date as required by Government Code section 56815(b) and Revenue and Taxation Code section 99.

Section 4. Establishment of Separate Tax Rate Area(s). County will work with the County Auditor and the State Board of Equalization to establish a separate Tax Rate Area or Areas (TRA(s)) for the Annexation Area prior to allocation and distribution of property tax under this Agreement and

will report to City the actual amount of the Property Tax Revenue from the TRA(s) available for allocation and distribution pursuant to this Agreement.

Section 5. Receipt and Allocation of Property Tax Revenues.

5.1. For the Annexation Area formerly in TRA 056-041:

- 5.1.1 Commencing the first fiscal year following the date the new TRA(s) appear on the State Board of Equalization's Tax Rate Area Chart, the County shall retain fifty percent (50%) of the Placer County General Fund property tax base and fifty percent (50%) of the 30.0256% incremental property tax revenue levied for the Annexation Area.
- 5.1.2 The City shall be apportioned the remaining balance of the property tax in the affected funds subject to the apportionment of taxes for the annexation area and all general sales tax received from sales in the Annexation Area (fifty percent (50%) of the Property Tax Revenue levied for the Annexation Area.)
- 5.1.3 The County Service Area (CSA) #28 - Zone 193 boundary will be revised to remove the Annexation Area from the same and the County General fund will receive fifty percent (50%) of the property tax base 8.5029% and the City shall be apportioned the remaining balance of the property tax base in the affected funds subject to the apportionment of taxes for the annexation area (fifty percent (50%) of the Property Tax Revenue levied for the Annexation Area.)

5.2. For the Annexation Area formerly in TRA 056-173:

- 5.2.1 Commencing the first fiscal year following the date the new TRA(s) appear on the State Board of Equalization's Tax Rate Area Chart, the County shall retain fifty percent (50%) of the Placer County General Fund property tax base and fifty percent (50%) of the 29.9739% incremental property tax revenue levied for the Annexation Area.
- 5.2.2 The City shall be apportioned the remaining balance of the property tax in the affected funds subject to the apportionment of taxes for the annexation area and all general sales tax received from sales in the Annexation Area (fifty percent (50%) of the Property Tax Revenue levied for the Annexation Area.)
- 5.2.3 The County Service Area (CSA) #28 - Zone 193 boundary will be revised to remove the Annexation Area from the same and the County General fund will receive fifty percent (50%) of the property tax base 8.4779% and the City shall be apportioned the remaining balance of the property tax base in the affected funds subject to the apportionment of taxes for the annexation area (fifty percent (50%) of the Property Tax Revenue levied for the Annexation Area.)

Section 6. Modification of Allocation of Property Taxes. The Parties agree that certain circumstances may result in a significant change to the revenues anticipated in this Agreement. These changes, identified in Section 7.1, could negatively impact the consideration of this Agreement to reach a fair and equitable approach to sharing of property tax revenues within the Annexation Area pursuant to Revenue and Taxation Code section 99 (b). As a result, the Parties agree to follow the process defined below to amend this Agreement to modify the allocation of property taxes.

- 6.1 Circumstances to Modify Property Tax Allocation. The Parties agree to discuss and update the City / County fiscal impact model (Model) if either Party believes there has been a significant change in: (1) the revenue assumptions in the Model for either the City or the County; (2) State action has imposed a significantly increased service level for either the City or the County without providing a funding source; or (3) other State action has occurred which has the effect of altering the fiscal outcomes that the tax sharing agreement was intended to provide. For purposes of this provision, the term State action includes action or inaction by the State of California, or action by the voters or judiciary.
- 6.2 If the Parties agree there has been a significant change, the Parties agree to update the Model and share equally in the cost of the same. If the Parties determine the updated Model necessitates changes to this Agreement, the Parties will each bring and recommend approval of the agreed-to amendments to the respective legislative bodies, each of which has the final decision on any updates to the Model and amendments to this Agreement.
- 6.3 If the Parties cannot reach agreement on the need to update the Model, or on whether there has been significant change necessitating an update to the Model, or on the nature of the modifications to the Model in response to a significant change, the City and the County shall mutually select a fiscal expert consulting firm to analyze and informally mediate the dispute. The Parties agree to participate in good faith in mediation. The City and the County will bear equally the cost of the services of the expert consultant and mediation. If after the informal mediation process the parties still cannot reach agreement, the Parties may request the fiscal expert consulting firm make final recommendations but recognize that such recommendations are advisory and not binding to either party.

#### Section 7. Capital Facilities Fee.

- 7.1 The City will require the developers of the Annexation Area to pay the County's Capital Facilities Fee to County pursuant to County Ordinance No. 4769-B, adopted October 15, 1996 through inclusion of this requirement as a condition of approval or provision of the development agreement(s) for COLLINS. The City will require the developers to pay the fee to City per building permit issued and the City will remit the fee revenues to County within thirty (30) days of receipt.
- 7.2 In the event that the City fails to impose this requirement on COLLINS or subsequently terminates that requirement or for any reason, is unable to collect said fee from developers for countywide facilities, City agrees (a) at the time of issuance of a building permit within the Annexation Area to pay the equivalent amount of the County Capital Facilities Fee to the County as established from time to time; or (b) to modify the allocation of property taxes as set forth in Section 5 herein so as to provide for sufficient funding in the County's share of property taxes to be received from the Annexation Area to fully fund the cost of capital facilities needed to serve all residents of the Annexation Area. Such modification of allocation shall provide full funding for all of the Capital Facilities Fees which City is unable to collect from the developers with an adjustment factor to take into account projected future increases in the Capital Facilities Fee.

7.3 Notwithstanding the provision of this Section 8, the City shall have no liability under this Section 8 to pay the Capital Facilities Fee to County if the County's Capital Facilities Fee or any amendments to it are determined invalid by final judgment of a court of competent jurisdiction or if the authority to impose the Capital Facilities Fee in the unincorporated area is withdrawn from the County by an act of the Legislature.

Section 8. Exchange by County Auditor. The City and the County further agree that all of the exchanges of property taxes required by this Agreement shall be made by the County Auditor.

Section 9. Effect of Tax Exchange Agreement. This Agreement shall be applicable solely to the Annexation Area and does not constitute a master tax sharing agreement or an agreement on potential future property tax exchanges with the City.

Section 10. Effective Date of Agreement. This Agreement shall become effective on the last date of execution set forth below ("Effective Date").

Section 11. Termination. This Agreement may be terminated only by formal action of both the City Council and County Board of Supervisors.

Section 12. Indemnification. In the event this Agreement is the subject of a third party legal challenge, including but not limited to a third party legal challenge to COLLINS entitlements or any action taken by Placer LAFCO and that challenge names the County as a defendant/respondent, City will defend any such action on behalf of itself and County, and will indemnify County against any damages which may be awarded against County in such a legal challenge.

Section 13. General Provisions.

- 13.1 Modification. This Agreement may only be modified or amended in writing duly authorized and executed by both the City and the County, after action by both legislative bodies.
- 13.2 Entire Agreement. This Agreement supersedes any and all previous negotiations, proposals, commitments, writings, and understandings between the City and the County with respect to and strictly limited to the sharing of Property Tax Revenue for the Annexation Area.
- 13.3 Notices. All notices, requests, certifications, or other correspondence provided by the Parties to this Agreement shall be in writing and shall be personally delivered or delivered by first class mail to the respective Parties at the following addresses:

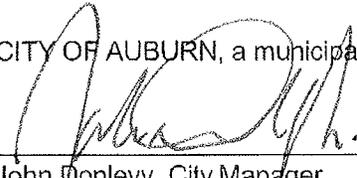
County  
Placer County Executive Officer  
County of Placer  
175 Fulweiler Avenue  
Auburn, CA 95603

City  
City Manager  
CITY OF AUBURN  
1225 Lincoln Way  
Auburn, CA 95603

Notice by personal delivery shall be effective immediately upon delivery. Notice by mail shall be effective upon receipt or three (3) days after mailing, whichever is earlier.

- 13.4 Agreement or Consent. Wherever this Agreement requires a party's agreement or consent, the party shall make its decision to give or withhold such agreement or consent in good faith, and shall not withhold such agreement unreasonably or without good cause.
- 13.5 Construction of Captions. Captions of the sections of this Agreement are for convenience and reference only. The words in the captions in no way explain, modify, amplify, or interpret this Agreement.
- 13.6 Authority to Execute Agreement. The undersigned declare each has the authority of its legislative body to execute this Agreement. That authority is further evidenced by the citation to the passage of the authorizing resolution cited to below.
- 13.7 Venue. This Agreement is made in the County of Placer in the State of California. Any action to enforce or interpret its terms shall be brought in Placer County Superior Court.
- 13.8 Severability. Should any part, term or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms or provisions hereof shall not be affected thereby.
- 13.9 Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original.

CITY OF AUBURN, a municipal corporation

  
\_\_\_\_\_  
John Donlevy, City Manager

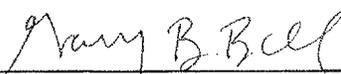
ATTEST:

  
\_\_\_\_\_  
Amy Lind, CMC, City Clerk

Date approved by City Council: August 24, 2020

Resolution No. 20-65

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary Bell, City Attorney

COUNTY OF PLACER

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Todd Leopold, County Executive Officer

ATTEST:

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Clerk of the Board

Date approved by Board of Supervisors: \_\_\_\_\_

Resolution No. \_\_\_\_\_

APPROVED AS TO FORM:

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Karin Schwab, County Counsel

Exhibit 'A'  
LAFCO Annexation No. XXXX-XX

Collins Subdivision  
Annexation to the City of Auburn

All the certain parcel of land situate in the East one-half of Section 9, Township 12 North, Range 8 East, M.D.B.M., in the County of Placer, State of California, being more particularly described as follows:

BEGINNING at a 1" pipe on the southerly line of Auburn Cemetery District Parcel, Book 15, Record of Surveys, Page 84, coinciding with the Northeastly corner of Auburn Cemetery District Parcel, Book 2, Record of Survey, Page 16, coinciding with the above said parcels and the City of Auburn Limits, thence from said point of beginning:

S 80° 08' 30.0" W for a distance of 559.06 feet,  
 thence, S 80° 08' 30.0" W for a distance of 65.26 feet,  
 thence, N 13° 18' 00.0" E for a distance of 65.27 feet,  
 thence, S 80° 07' 30.4" W for a distance of 675.99 feet,  
 thence, N 00° 48' 26.4" E for a distance of 548.22 feet,  
 thence, N 00° 48' 26.4" E for a distance of 95.00 feet,  
 thence, N 13° 28' 26.4" E for a distance of 517.00 feet,  
 thence, N 06° 10' 26.4" E for a distance of 141.44 feet,  
 thence, N 06° 10' 30.0" E for a distance of 194.55 feet to the beginning of a non-tangential curve,  
 Said curve turning to the right through an angle of 35° 36' 36.2", having a radius of 410.29 feet, and whose long chord bears N 28° 44' 07.4" E for a distance of 250.92 feet to a point of intersection with a non-tangential line.  
 thence, N 40° 45' 26.4" E for a distance of 387.27 feet,  
 thence, S 09° 11' 44.7" W for a distance of 67.17 feet,  
 thence, N 56° 13' 42.9" W for a distance of 12.41 feet,  
 thence, N 89° 29' 16.5" W for a distance of 1.94 feet,  
 thence, S 00° 33' 32.9" W for a distance of 59.85 feet to the beginning of a curve,  
 Said curve turning to the right through an angle of 12° 29' 59.9", having a radius of 965.00 feet, and whose long chord bears S 82° 34' 27.6" E for a distance of 210.11 feet.  
 thence, S 78° 19' 27.6" E for a distance of 10.67 feet,  
 thence, N 13° 40' 32.4" E for a distance of 5.00 feet to the beginning of a non-tangential curve,  
 Said curve turning to the left through an angle of 07° 47' 46.8", having a radius of 1530.00 feet, and whose long chord bears S 80° 48' 53.4" E for a distance of 208.03 feet to a point of intersection with a non-tangential line.  
 thence, S 19° 28' 17.0" E for a distance of 30.79 feet,  
 thence, S 19° 09' 22.0" E for a distance of 30.20 feet,  
 thence, S 18° 58' 07.0" E for a distance of 30.13 feet,  
 thence, S 18° 51' 22.0" E for a distance of 30.07 feet,  
 thence, S 18° 49' 07.0" E for a distance of 995.97 feet,  
 thence S 00° 00' 00.0" W for a distance of 619.83 feet,  
 thence S 43° 28' 30.0" W for a distance of 135.21 feet,  
 thence, S 80° 08' 30.0" W for a distance of 88.54 feet to the POINT OF BEGINNING.

NOTE:

THE BAYSIDE HOLDINGS, LLC PROPERTIES, APNS 038-300-017 & 035-300-019, ROTATED 359.39 DEGREES TO MATCH THE LEGAL DESCRIPTION OF COLLINS ROAD (F-6023) AT THE LOCATION SHOWN ON EXHIBIT B.

		EXHIBIT A	
Date	April 22, 2019	Project	Collins Drive Project - Auburn, CA

