

Factors for Consideration (California Government Code §56668)

- (a) ***Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.***

The subject territory consists of a single parcel totaling approximately 4.7 acres. It is currently vacant but proposed to be developed as a warehouse for wine storage and distribution and an office. The parcel is located just south and west of the City of Cloverdale boundary and is surrounded, to the north, west and south by other industrial uses. Further growth is not anticipated for the parcel.

- (b) ***Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services that would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.***

The subject territory is proposed for reorganization to obtain municipal services provided by the City for development of a wine storage and distribution warehouse and office; the City has stated that it can serve the subject territory. The territory is close to the freeway, providing access to business partners. The City's land-use designation of GI (General Industry) and pre-zoning of M-1 (General Industrial) are specifically intended to allow for industrial uses that have as little environmental effect as possible and are located away from residential areas and sensitive habitats. Annexation of the parcel is a logical expansion of the City boundary.

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

The subject territory is located within the City's sphere of influence, making it eligible for annexation. It is also within the voter-approved Urban Growth Boundary and within the "urban service area" boundary for the City in the Sonoma County General Plan. Adjacent territory is developed with industrial uses as is proposed for the subject territory.

- (d) ***The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. (Note: Section 56377 encourages preservation of agricultural and open-space lands.)***

The proposal is consistent with Commission policies. The subject territory is within the City's sphere of influence and contiguous to the City boundary. Annexation is a logical extension of the City boundary, and the City has stated that it can provide urban services to the parcel.

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

The parcel is not designated as agricultural or used for that purpose. Annexation of this territory to the City will not impact the existence of, or activities on, agricultural or open space lands.

(f) *The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.*

The parcel that comprises the affected territory has specific boundary lines that are certain and identifiable.

(g) *A regional transportation plan adopted pursuant to Section 65080.*

Annexation of the affected territory will not affect or be affected by Plan Bay Area, the Regional Transportation Plan for the San Francisco Bay Area, in that the Plan focuses growth in Priority Development Areas (PDA). The affected territory is not within a PDA.

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

The proposal is consistent with the Sonoma County General Plan, which supports urban development within the "urban service area" boundary for the City. The parcel is within the City's sphere of influence and the voter-approved Urban Growth Boundary of the City as well. The pre-zoning established for the affected territory is consistent with the land-use designation of the City's General Plan. The City indicates that it can provide the necessary services to the property upon annexation.

(i) *The sphere of influence of any local agency that may be applicable to the proposal being reviewed.*

The affected territory is located within the sphere of influence of the City of Cloverdale and is not within the sphere of influence of any other agency that provides similar services. The affected territory is also located within the boundary of the Cloverdale Fire Protection District, which will continue to provide fire protection services.

(j) *The comments of any affected local agency or other public agency.*

No agency comments have been received.

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

The City of Cloverdale states that it can continue to provide the needed services to the subject territory.

- (l) ***Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.***

The City obtains its water supply from seven wells, three of which are under the direct influence of the Russian River. Supply and demand comparisons indicate that the City has adequate water resources to provide water service to the subject property.

- (m) ***The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.***

The affected territory has been pre-zoned to the General Industrial (M-1) zoning district. No residential development is proposed or planned for the subject parcel.

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

The property owner has consented to the annexation.

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

The affected territory has been pre-zoned to the General Industrial (M-1) district, consistent with the General Industry land-use designation of the City's General Plan.

- (p) ***The extent to which the proposal will promote environmental justice. As used in the law, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.***

The proposal makes no representations or exclusions of peoples of any race, culture and/or income with respect to location of public facilities and public services.

- (q) ***Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.***

The U.S. Government Disaster Mitigation Act of 2000 required all cities, counties, and special districts to adopt a Local Hazard Mitigation Plan in order to receive disaster mitigation funding from the Federal Emergency Management Agency. In 2010, the Association of Bay Area Governments adopted *Taming Natural Disasters*, as the Local Hazard Mitigation Plan for the entire nine-county Bay Area. In 2011, the City, through Council action, adopted that Plan as well as an “Annex,” which adapted the Plan to the City’s specific circumstances.

In its consideration of pre-zoning of the subject territory, the City did not identify potential fire hazards or threats associated with the property. According to the Initial Study, wine storage facilities “do not typically involve the regular use, storage, transport, or disposal of significant amount of hazardous materials.” A significant hazard to the public or the environment would not be created because the safe handling and transport of any hazardous materials must comply with federal, state, and local laws. Further, the site does not contain any clean-up sites

Cal Fire identifies the subject parcel as being within a Moderate Fire Hazard Severity Zone in a State Responsibility Area (SRA), i.e., land where the State of California is financially responsible for the prevention and suppression of wildfires. SRAs do not include territory within the boundary of cities. Should the Commission approve annexation, the parcel would be removed from that designation, and efforts to prevent and/or mitigate fire threat would be the responsibility of the City and the Cloverdale Fire Protection District. The City would require improvements to ensure emergency vehicle access, and the Fire District would require, prior to approving the proposed development, that the structure and all landscaping meet or exceed California Fire Code and Building Code requirements.