



Solano Local Agency Formation Commission

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Original via Mail & Copy via Email

August 18, 2025

Raffi Boloyan, Community Development Director
City of Dixon
600 East A Street
Dixon, CA 95620
Email: planningdepartment@cityofdixon.gov

**Subject: Harvest Master Plan, SE Annexation, and General Plan Amendment Project –
NOP Comments**

Dear Mr. Boloyan,

Thank you for the opportunity to comment on the City of Dixon (City) Notice of Preparation (NOP) for the Environmental Impact Report (EIR) being prepared for the Harvest Master Plan, SE Annexation, and General Plan Amendment Project (Project). This opportunity is significant since the Local Agency Formation Commission of Solano (LAFCO) is a responsible agency.

The California Environmental Quality Act (CEQA) Guidelines Section 15096 outlines specific procedures for a responsible agency, including the requirement that the responsible agency specify the scope and content of the environmental information relevant to its statutory responsibilities in connection with the proposed project. LAFCO will be responsible for reviewing applications for future requests to expand the City's sphere of influence and any subsequent annexation proposals. It is LAFCO's understanding that the City intends to prepare a hybrid project-programmatic EIR that will be used to support the following subsequent actions:

- The City of Dixon General Plan land use designations amendments (city action)
- Pre-zoning of all parcels proposed for annexation, consistent with the General Plan Amendments (city action)
- Project level analysis of the parcels/projects proposed for annexation (city action)
- Request to approve an updated review and analysis for a Municipal Service Review (MSR) that supports an Amended Sphere of Influence, and an annexation plan (LAFCO action)
- Request to Adopt Amendments to City's sphere of influence (SOI) (LAFCO action)
- Applications to Solano LAFCO for Project Annexations (LAFCO action)

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The following comments are provided based on CKH's requirements and the City's stated intended use of the Project EIR. The majority of these topics were previously discussed during the June 17, 2025 coordination meeting between the City, its consultants, and LAFCO.

1. **SOI (1):** CKH §56425(g) requires LAFCO to review and update a city's SOI at least every five years, as necessary. The City's current SOI (2014 SOI) was last approved in 2014 based on the 2014 MSR. Since more than five years have passed, the information used to prepare the 2014 MSR is outdated, which invalidates LAFCO's previous findings and determinations used to establish the City's 2014 SOI. Therefore, an updated MSR must be prepared that addresses all the properties proposed for inclusion in the City's SOI.

Although the MSR is exempt from CEQA review, the updated SOI is not. Therefore, the Project EIR must address and evaluate the following topics to enable LAFCO to make its written SOI determinations required under CKH §56425(e), as outlined below:

- a. The present and planned land uses in the area, including agricultural and open-space lands.
 - b. The present and probable need for public facilities and services in the area.
 - c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - d. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
 - e. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence
2. **SOI (2):** The proposed Project includes an expanded SOI, including the following areas:
 - SOI Area A (1,768 acres)
 - SOI Area B (1,306 acres)
 - SOI Area C (79 acres)
 - The Harvest Project (838 acres)
 - The Lombardo Ranch Project (147 acres)
 - Non-Participating Parcels (273 acres) with no immediate land use changes

As defined by CKH §56076, a sphere of influence (SOI) is "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." (*emphasis added*). For LAFCO to consider SOI Areas A, B, and C, the Lombardo Project, and the Non-Participating Parcels for inclusion in the proposed SOI expansion, these areas must include plans, and those plans must be analyzed in the Project EIR. The City may also want to consider providing guiding policies and actions for these areas as part of the General Plan amendment.

Please note that, because the City's 2014 SOI is outdated, the Project must re-establish and analyze the General Plan land use designations for areas within the 2014 SOI boundary, as well as for areas proposed for inclusion in the expanded SOI.

3. **Annexations:** CKH §56668 identifies factors that LAFCO must consider when reviewing changes in organization proposals. Many of these factors lend themselves to a project-level EIR analysis. CKH §56668 has been attached for your reference.

Please note that CKH §56425 (b) requires representatives from the City and from the County to meet prior to the City submitting a SOI proposal to LAFCO. The purpose of this meeting is to discuss the proposed new boundaries of the sphere and to explore methods to reach agreement on development standards and planning and zoning requirements.

Prior to a city submitting an application to the commission to update its sphere of influence, representatives from the city and representatives from the county shall meet to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere.

4. **Prime Agricultural Land (1):** CKH §56000 *et. seq.* governs LAFCO decision-making. CKH establishes that one of LAFCO's primary missions is to prevent the premature conversion of prime agricultural land. CKH has its own definition of "Prime Agricultural Land." This definition is much broader than the standard often used by consultants to analyze agricultural impacts. If the EIR for the GP Update is to be useful for LAFCO decision-making, the EIR must provide information about prime agricultural lands. CKH GC § 56064 defines prime agricultural land, and this Code section is attached for your reference.
5. **Prime Agricultural Land (2):** CKH §56377 imposes a duty on LAFCO to discourage annexations that involve conversion of Prime Agricultural Land where there is adequate land for development within the existing city boundaries. For LAFCO to be able to make the findings necessary to support the annexation of Prime Agricultural Land to the City, LAFCO must have the following information:
 - a. A detailed vacant land inventory within the City boundaries and the proposed SOI that provides information on the zoning and probable development potential of each vacant parcel per §56425 (e)(1).
 - b. A professional absorption analysis based on historical growth patterns in the City which determines how quickly the vacant land within the City is likely to be developed and how soon additional land will need to be added to the City to meet growth needs per LAFCO Standard No. 8.
6. **Williamson Act Contracts:** The City should identify all lands under a Williamson Act contract within the City's proposed SOI. Lands under a Williamson Act contract should be identified on a list by parcel as well as on a map exhibit. The City should provide information on the status of the individual contracts. Note that pursuant to GC §56426.6, the LAFCO Commission cannot approve a change to the City's SOI of territory that is subject to a Williamson Act contract unless it meets specific criterion.

7. **Open Space:** The City should provide an analysis regarding the conversion of open-space lands according to GC §56377. As defined by CKH §65560, "Open space" means any parcel or area of land or water which is substantially unimproved and devoted to an open-space use.
8. **Public Facilities and Services:** The City should provide analysis and discussion on the present capacity of public facilities and adequacy of public services the City provides within City limits and the proposed SOI per §56425 (e)(3). These services include but are not limited to: sewer, fire, police, water, parks and recreation, storm water, animal control, public waste, etc. The analysis should consider the growth projected in the GP and explain how the City intends to fund and expand services to serve the growth.
9. **Areas of Interest:** A minor note is that Solano LAFCO policies do not currently identify an "Area of Interest," only an "Area of Concern," which are two different definitions. However, Solano LAFCO recognized in 2024 that these two types of areas are recognized in other LAFCOs. Solano LAFCO is considering updating our sphere policies to define and address an area of interest vs. area of concern. Solano LAFCO requests that the City coordinate with us as to the "area of interest" definition and function while we complete our policies to ensure consistency and compatibility.
10. **Disadvantaged Unincorporated Communities:** The City should provide analysis and discussion regarding the existence of any social or economic communities of interest and any disadvantaged unincorporated communities (DUC). As defined by CKH §56033.5, "Disadvantaged unincorporated community" means inhabited territory, as defined by Section 56046, or as determined by commission policy, that constitutes all or a portion of a "disadvantaged community" as defined by Section 79505.5 of the Water Code.
11. **Job-Housing Balance:** The City should provide analysis and discussion with respect to the City's current and proposed job-housing balance ratio. The City should cite their source for the data used in calculating its projection.

We appreciate the opportunity to provide comments on the hybrid programmatic/project-level environmental document. We encourage you to consider expanding the scope of the EIR to address LAFCO's Sphere of Influence and annexation requirements, ensuring the document supports and streamlines future annexation efforts.

Please contact LAFCO staff should you have any questions. You can reach the Executive Officer, Rich Seithel, at 707-439-3897; and the Deputy Executive Officer, Christina Love, at 707-439-3898. We look forward to working with you on this project.

Sincerely,



Rich Seithel, Executive Officer
Rseithel@solanolafco.com

Attachment 1: CKH §56064
Attachment 2: CKH §56668
Attachment 3: Solano LAFCO Standard 8

cc:
Solano County Administrator
Resource Management
Solano Transportation Authority
Solano Irrigation District
Solano Airport Land Use Commission
Solano County Ag Commissioner
Silveyville Cemetery District



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TITLE 5. LOCAL AGENCIES [50001 - 57607] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550] (Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 1. GENERAL [56000 - 56160] (Part 1 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 2. Definitions [56010 - 56081] (Chapter 2 added by Stats. 1985, Ch. 541, Sec. 3.)

56064. "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

(a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.

(b) Land that qualifies for rating 80 through 100 Storie Index Rating.

(c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.

(d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.

(e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

(Amended by Stats. 2007, Ch. 244, Sec. 3. Effective January 1, 2008.)



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PART 3. COMMISSION PROCEEDINGS FOR A CHANGE OF ORGANIZATION OR REORGANIZATION [56650 - 56898] (Heading of Part 3 amended by Stats. 1985, Ch. 1599, Sec. 8.)

CHAPTER 1. General [56650 - 56668.5] (Chapter 1 added by Stats. 1985, Ch. 541, Sec. 3.)

56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

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

(b) (1) The 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; and 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.

(2) "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.

(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.

(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 in Section 56377.

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

(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.

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

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

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

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

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

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

(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.

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

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

(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

(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.

(Amended by Stats. 2019, Ch. 360, Sec. 2. (AB 1628) Effective January 1, 2020.)

(For a complete list of Solano LAFCO Standards, please refer to the Solano LAFCO Standards and Procedures, available at: <https://www.solanolafco.com/documents/solano-lafco-standards-and-procedures/>)

**STANDARD NO. 8: LIKELIHOOD OF SIGNIFICANT GROWTH
AND AFFECT ON OTHER INCORPORATED
OR UNINCORPORATED TERRITORY**

Prior to approving an annexation, LAFCO shall make a determination that the proposed conversion of open space lands to urban use is justified by probable urban growth within a 10 year-period of time. A determination on the likelihood of significant growth justifying the conversion shall be based on analysis of local and regional demand for the proposed use.

Explanation and Discussion

To satisfy this standard an applicant is to provide data that supports a determination of the likelihood of significant growth within a 10-year period of time, justifying the conversion of the affected open space lands as defined under the Cortese-Knox-Hertzberg Act as an urban use, and that such conversion will not be detrimental to the development of existing open space lands already within the affected agency's jurisdiction. This Standard in conjunction with the other standards is designed to discourage urban sprawl, to preserve agricultural land resources and to encourage orderly growth boundaries based upon local conditions and circumstances. Under this Standard, the applicant is required.

- a) To provide data supporting the proposed conversion of open space to urban use by analyzing appropriate factors of supply and demand, and the Municipal Service Review where applicable;
- b) To discuss all lands currently within the city's jurisdiction which are intended for, or committed to similar land uses and how the proposal relates to them.
- c) To submit data to explain how the annexation will not significantly inhibit the timely development of existing vacant land currently within the city limits or inhibit the city's ability to meet it's infill goals.
- d) To submit data that supports a determination that the conversion of the land to urban use within a 10-year period of time.

In reviewing the demand analysis for a proposed use, the Commission recognizes that it is more difficult to make determinations on long term market absorption rates for multi-family residential, commercial, industrial and mix use (high density residential, commercial and industrial) land use projects than for residential land use projects.

Another basis for analyzing an annexation's compliance with this standard will be the proposal's relationship to the annexing agency's Municipal Service Review (MSR). LAFCO accepted MSRs are required prior to the consideration of annexations to agencies.

Compliance with the annexing agency's Municipal Service Review (MSR) will be based on an analysis of the proposal and its relation to the goals and policies of the agency's MSR including the growth strategy, projected growth and infill goals. LAFCO will consider its resolution of review and comment on the MSR in reviewing a proposal's consistency with the MSR.

Where large-scale and long-term projects are proposed through annexation, LAFCO may consider the likelihood of significant growth over a 10 – 20 year period of time if the project applicant and the city have entered into a development agreement. With respect to the purpose of Cortese-Knox Hertzberg, key provisions and a development agreement would include:

1. Phasing of development over a 10-20 year period in keeping with reasonable analysis of the market for new housing or other urban use consistent with policies of the General Plan.
2. Reasonable phasing to avoid premature conversion of prime agricultural lands to urban use, particularly those prime lands of greatest importance in Solano County as identified under Standard No. 9.
3. Reasonable phasing which will assure agency capability to provide urban services required without negative financial impact upon existing property owners and residents of the agency.

Finally, consideration will also be given to ABAG projections and to the preceding 10 years or more of building permit activity. Consideration will be given to the market conditions in analyzing past building permit activity.

It is on comparative analysis of the market study, the Municipal Service Review, ABAG projections and past building permit activity that a judgment as to the likelihood of significant growth with a ten-year period will be made.

Required Documentation

This standard requires for any applications for a change of organization or reorganization which will convert open space lands to urban use, each application shall include the following documentation.

1. For a change of organization or reorganization where 40 acres or more of commercial or industrial land use is proposed or where 100 acres or more

of residential land use is proposed, a market study is required to document this analysis. Substantial inhabited annexations are excluded from the requirement for a market analysis. The market study should:

- a) Clearly define the market area for the project. The level of detail provided in the market analysis shall be commensurate with the scale and complexity of the proposed development project.
 - b) Identify anticipated demand over the next ten years within the market area and document the assumptions in preparing the demand projections;
 - c) Identify the supply of land which can be put to the same use within the market area that is anticipated to be available within the next ten years; including existing vacant land currently within the city limits; and
 - d) Consistency of the proposal with the city's growth strategy and infill goals contained within the City's Municipal Service Review.
2. For a change or organization or reorganization where less than 40 acres of commercial or industrial land use is proposed or where less than 100 acres of residential land use is proposed, the proponent shall provide an analysis of likelihood of significant growth based on available information in responding to this standard.
 3. An analysis of consistency of the proposed project with the city's Municipal Service Review.
 4. Documentation of the city's building permit activity over the past 10 years.
 5. A copy of the development agreement (if applicable).