



Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533
 (707) 439-3897 • FAX: (707) 438-1788

STAFF REPORT

DATE: October 18, 2021
 TO: Local Agency Formation Commission
 FROM: Rich Seithel
 SUBJECT: **2021-04 Green Valley II Apartments Detachment from the Solano Irrigation District (SID)**

Staff Recommendation:

Staff recommends the Commission:

- 1) **ADOPT** LAFCO Resolution 21-10 approving the detachment of the Green Valley II Apartments (APN 0148-540-370) from SID.
- 2) **REVIEW, CONSIDER, AND ADOPT** the Environmental Impact Report (EIR), Mitigation and Monitoring Program (MMRP), and the Statement of Overriding Considerations as the Responsible Agency pursuant to the California Environmental Quality Act (CEQA).
- 3) **WAIVE** the conducting authority proceedings pursuant to Government Code (GC) Section 56662.

Executive Summary:

The SID has submitted a detachment request to comply with an existing agreement between the District and the City of Fairfield (City) whereby SID provided water service to the proposal site prior to development. This area is already in the City as it was previously approved by the LAFCO Commission for annexation to the City of Fairfield in 1971. As such, the City of Fairfield has land use jurisdiction and pre-zoned the proposal area Residential Very High (RVH) and Public Facility (PF). The proposal area will be developed with 281-unit multi-family apartment complex and will receive the full range of urban services from the City including but not limited to water services.

Commissioners

Ron Rowlett, Chair • John Vasquez, Vice-Chair • Harry Price • Nancy Shopay • Jim Spring

Alternate Commissioners

Ron Kott • Mitch Mashburn

Staff

Rich Seithel, Executive Officer • Jeffrey Lum, Analyst II • P. Scott Browne, Legal Counsel

The proposal before the Commission is to consider the detachment from the SID's boundary and service area. Staff believes this is a standard SID proposal and the following staff report identifies no issues.

Project Description:

The Solano Irrigation District (SID) proposes to detach from their service area a portion of APN 0148-540-370, approximately 9.61 acres, located within the City of Fairfield (City) city limits

north of Highway 80, south and east of Business Center Drive, south of Mangels Blvd. A map and geographical description are attached to the proposed LAFCO Resolution 2021-10 (Exhibit A)



which more specifically identifies the location.

Application for this change of organization is made subject to GC §56650 *et seq.* by SID Resolution 20-23 (Attachment B) adopted on November 17, 2020. The project has 100% consent of the landowner, consists only of a detachment, and is uninhabited per GC §56079.5, therefore; the proposal is exempt from the requirements for notice and public hearing. Furthermore, LAFCO may waive the Conducting Authority Proceedings (protest hearing) in accordance with GC §56662.

Background:

Per the 1987 Fairfield-Solano Irrigation District Joint Exercise of Powers Agreement, Water Service Sub-Agreement No. 3, SID may provide non-potable water to commercial and industrial users within SID's Boundary and within the limits of said agreement. The agreement stipulates that all residential (single family, condominium, and apartments) must be detached from the District's boundary and will not be entitled to receive non-potable water.

The proposal before the LAFCO Commission allows the City and District to comply with said agreement and eliminate the potential for duplication of two service providers to the proposal site. As stated above, the proposal area received approval from the Commission for all City services and that the proposal before the Commission consists only of a detachment from SID.

PROJECT ANALYSIS:

Statutory and Policy Considerations:

Per the Cortese-Knox-Hertzberg (CKH) Act, the Commission is required to consider seventeen factors (a-q) according to GC Section 56668. Additionally, the Commission must measure a proposal’s consistency with its adopted policies (Standards 1-11 per Section 56375(g)) when reviewing an application for a change of organization or reorganization. The following subsections first provide staff analysis for the factors per CKH followed by analysis and consistency statements concerning the Commission’s adopted Standards:

GC §56668(a-q) – Factors to be Considered in Review of a Proposal:

CKH (state law) requires the Commission to consider seventeen factors when reviewing proposals for a change of organization. The purpose is to ensure the Commission has considered these factors during its decision-making process.

CKH Section 56668 Factors	Analysis
<p><i>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 yrs.</i></p>	<p>The project consists of three four-story apartment buildings totaling 281 residential units, an office complex, outdoor amenities, associated site improvements and landscaping. As such, there is significant growth in the area anticipated in the next ten years. Per the Assessor, the assessed valuation was \$0.00 at the last tax roll.</p>
<p><i>b. 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/controls in this and adjacent areas.</i></p>	<p>The proposal site is located within city limits. The City of Fairfield provides community services including but not limited to police, fire, sewer, roads, parks, and other utilities to the proposal area. Upon detachment from SID, the site will receive water services from the City.</p>
<p><i>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.</i></p>	<p>Detachment of the proposal area from SID’s boundary will have no effect on SID’s ability to serve adjacent areas within their boundary. There are no effects on the local governmental structure of Solano County.</p>
<p><i>d. The conformity of the proposal and its anticipated effects with the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and § 56377policies/priorities.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>
<p><i>e. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by § 56016.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>

CKH Section 56668 Factors	Analysis
<p><i>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.</i></p>	<p>The map and geographic description have been reviewed and corrected by the County Surveyor per Commission policy. These two documents provide certainty of the proposed boundary of the territory.</p>
<p><i>g. A regional transportation plan adopted pursuant to Section 65080.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>
<p><i>h. The proposal's consistency with city or county general and specific plans.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>
<p><i>j. The comments of any affected local agency or other public agency.</i></p>	<p>As of the writing of this report, staff has not received comments from any of the affected agencies or other public agencies.</p>
<p><i>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.</i></p>	<p>Per the County Auditor, the proposed detachment will result in an annual loss of \$0 from SID. Per SID, all District detachment fees have been paid by the landowner.</p>
<p><i>l. Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.</i></p>	<p>The City will provide water to the proposal site upon development which is eminent.</p>
<p><i>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.</i></p>	<p>This factor is not applicable as the site is within the City limits.</p>
<p><i>n. Any information or comments from the landowner or landowners, voters, or residents of the affected territory.</i></p>	<p>The Commission has received a letter of support for the proposed change of organization from the landowner.</p>
<p><i>o. Any information relating to existing land use designations.</i></p>	<p>The City has pre-zoned the proposal site as Residential Very High (RVH) and Public Facility (PF).</p>
<p><i>p. The extent to which the proposal will promote environmental justice. "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.</i></p>	<p>There are no environmental justice issues identified.</p>

CKH Section 56668 Factors	Analysis
<p><i>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.</i></p>	<p>This factor is not applicable as the site is located within the City limits.</p>

GC §56375(g) – Solano LAFCO Adopted Standards:

LAFCOs are required to adopt written procedures for the evaluation of proposals, known as Standards, including written definitions consistent with existing State law. The following is an analysis of the proposal’s consistency with the Commission’s adopted Standards 1-11.

Standard	Policy Consistency	Analysis
<p><i>1. Consistency with Sphere of Influence (SOI) Boundaries</i></p>	<p>Consistent</p>	<p>The proposal is consistent with SID’s SOI; the proposal areas will be removed from SID’s SOI as part of the Commission’s action.</p>
<p><i>2. Change of Organization and Reorganization to the Limits of the SOI Boundaries</i></p>	<p>N/A</p>	<p>Located within City limits.</p>
<p><i>3. Consistency with Appropriate City General Plan, Specific Plan, Area-Wide Plan, and Zoning Ordinance</i></p>	<p>Consistent</p>	<p>Located within City limits consistent with the City’s General Plan.</p>
<p><i>4. Consistency with the County General Plan of Proposed Change of Organization or Reorganization Outside of a City’s SOI Boundary</i></p>	<p>N/A</p>	<p>Located within City limits.</p>
<p><i>5. Requirement for Pre-Approval</i></p>	<p>Consistent</p>	<p>Request for detachment initiated by District Resolution 20-23 (Attachment B)</p>
<p><i>6. Effect on Natural Resources (California Environmental Quality Act – CEQA)</i></p>	<p>Consistent</p>	<p>The City approved the FEIR and made determinations, added conditions, adopted a mitigation monitoring program, and adopted a statement of overriding considerations.</p> <p>The complete DEIR, FEIR, and related City documents in their entirety are provided</p>

Standard	Policy Consistency	Analysis
		electronically and made part of this report: https://www.fairfield.ca.gov/civicax/filebank/blobdload.aspx?BlobID=17947
<i>7. Proposal Boundaries, Map and Geographic Description Requirements, Other Exhibits</i>	Consistent	The map and geographic description are attached as Exhibit A to the proposed LAFCO Resolution.
<i>8. Likelihood of Significant Growth and Effect on Other Incorporated or Unincorporated Territory</i>	Consistent	Significant urban growth is expected in the proposal and adjacent areas.
<i>9. Protection of Prime Agricultural Land</i>	N/A	Proposal is located within the City; effects on prime ag lands were considered during reorganization.
<i>10. Provision and Cost of Community Services</i>	N/A	Proposal is to consider detachment from SID only; proposal site is within the City's jurisdiction.
<i>11. The Effect of the Proposed Action on Adjacent Areas, Mutual Social and Economic Interests, and on Local Governmental Structure</i>	Consistent	Per SID staff, all fees have been paid consistent with the City and SID's existing joint powers agreement.

Conducting Authority (Protest Hearing) Proceeding:

The proposal area is undeveloped and considered legally uninhabited per GC Section 56079.5. Furthermore, the property owner has submitted a letter to the Commission consenting to the change of organization. Therefore, staff recommends the Commission waive the conducting authority proceeding pursuant to GC Section 56662(d).

Summary of Findings and Determinations:

Staff recommends the following findings and determinations based on project research and the analysis included in prior sections of this document, State law, and the Commission's adopted policies:

1. The subject detachment is consistent with the District's SOI; the proposal area will be removed from the District's SOI as part of the Commission's action.
2. The subject detachment allows the City of Fairfield and the Solano Irrigation District to comply with a joint powers agreement and understanding that the subject property shall be detached from the District's service area and that City will provide water prior to development.
3. The subject detachment eliminates the potential for duplication of two service providers.
4. The subject proposal area is "uninhabited" as defined by Government Code (GC)

§56079.5. Application for the subject detachment is made subject to GC §56650 et seq. by resolution of the Solano Irrigation District. All landowners have consented to the proposal; therefore, the Commission waives the conducting authority proceedings.

5. The boundaries are definite and certain and conform to lines of ownership and parcel lines. The detachment will provide a logical and orderly boundary for the Solano Irrigation District.
6. The environmental documents were approved by the City of Fairfield as the lead agency in November 2019 (SCH #2018082002) and are found to satisfy the requirements of the California Environmental Quality Act (CEQA). The environmental impacts of the change of organization have been disclosed and adequately addressed by the lead agency and the potential environmental effects have been adequately mitigated. The City of Fairfield has fulfilled its obligations under CEQA and the EIR and associated environmental documents for the Green Valley II Mixed-Use Project adequately disclose and describe the subject change of organization project.
7. The subject detachment is in the best interests of the citizens within the affected area.
8. The subject detachment will not result in negative impacts to the cost and adequacy of services otherwise provided by SID to adjacent areas within their service boundaries.
9. The subject detachment will result in no loss of tax base from SID and a gain of the same amount for the City of Fairfield.¹
10. The District has collected all applicable detachment fees per the agreement between the City and the District.

Terms and Conditions of Approval per GC Sections: 56885, 56885.5, and 56886:

Staff recommends the Commission approve the proposed change of organization with the following terms and conditions of approval:

1. The Commission orders the change of organization without a conducting authority proceeding and without an election as provided by GC Section 56885.5.
2. Immediately following LAFCO approval and prior to issuance of the Certificate of Completion, the applicant shall submit a warrant to LAFCO for the County Assessor Recorder for \$218 and CA State Board of Equalization for \$500.
3. The effective date of the change of organization shall be the date of the recordation made with the County Recorder of the Certificate of Completion per GC Section 57202.

Attachments: Attachment A – Draft LAFCO Resolution # 21-10
 Exhibit A – Map and Geographical Description
 Exhibit B – CEQA MMRP and Statement of Overriding Considerations
 Attachment B – SID Resolution # 20-23 Initiating the Change of Organization

¹ Auditor-Controller advises that there is no base exchange

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Executive Summary:

The SID has submitted a detachment request to comply with an existing agreement between the District and the City of Fairfield (City) whereby SID provided water service to the proposal site prior to development. This area is already in the City as it was previously approved by the LAFCO Commission for annexation to the City of Fairfield in 1971. As such, the City of Fairfield has land use jurisdiction and pre-zoned the proposal area Residential Very High (RVH) and Public Facility (PF). The proposal area will be developed with 281-unit multi-family apartment complex and will receive the full range of urban services from the City including but not limited to water services.

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PROJECT ANALYSIS:

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CKH Section 56668 Factors	Analysis
<p><i>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 yrs.</i></p>	<p>The project consists of three four-story apartment buildings totaling 281 residential units, an office complex, outdoor amenities, associated site improvements and landscaping. As such, there is significant growth in the area anticipated in the next ten years. Per the Assessor, the assessed valuation was \$0.00 at the last tax roll.</p>
<p><i>b. 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/controls in this and adjacent areas.</i></p>	<p>The proposal site is located within city limits. The City of Fairfield provides community services including but not limited to police, fire, sewer, roads, parks, and other utilities to the proposal area. Upon detachment from SID, the site will receive water services from the City.</p>
<p><i>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.</i></p>	<p>Detachment of the proposal area from SID’s boundary will have no effect on SID’s ability to serve adjacent areas within their boundary. There are no effects on the local governmental structure of Solano County.</p>
<p><i>d. The conformity of the proposal and its anticipated effects with the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and § 56377 policies/priorities.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>
<p><i>e. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by § 56016.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>

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<p><i>g. A regional transportation plan adopted pursuant to Section 65080.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>
<p><i>h. The proposal's consistency with city or county general and specific plans.</i></p>	<p>This factor is not applicable as the site is within the Fairfield city limits.</p>
<p><i>j. The comments of any affected local agency or other public agency.</i></p>	<p>As of the writing of this report, staff has not received comments from any of the affected agencies or other public agencies.</p>
<p><i>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.</i></p>	<p>Per the County Auditor, the proposed detachment will result in an annual loss of \$0 from SID. Per SID, all District detachment fees have been paid by the landowner.</p>
<p><i>l. Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.</i></p>	<p>The City will provide water to the proposal site upon development which is eminent.</p>
<p><i>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.</i></p>	<p>This factor is not applicable as the site is within the City limits.</p>
<p><i>n. Any information or comments from the landowner or landowners, voters, or residents of the affected territory.</i></p>	<p>The Commission has received a letter of support for the proposed change of organization from the landowner.</p>
<p><i>o. Any information relating to existing land use designations.</i></p>	<p>The City has pre-zoned the proposal site as Residential Very High (RVH) and Public Facility (PF).</p>
<p><i>p. The extent to which the proposal will promote environmental justice. "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.</i></p>	<p>There are no environmental justice issues identified.</p>

CKH Section 56668 Factors	Analysis
<p><i>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.</i></p>	<p>This factor is not applicable as the site is located within the City limits.</p>

GC §56375(g) – Solano LAFCO Adopted Standards:

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<p><i>2. Change of Organization and Reorganization to the Limits of the SOI Boundaries</i></p>	<p>N/A</p>	<p>Located within City limits.</p>
<p><i>3. Consistency with Appropriate City General Plan, Specific Plan, Area-Wide Plan, and Zoning Ordinance</i></p>	<p>Consistent</p>	<p>Located within City limits consistent with the City’s General Plan.</p>
<p><i>4. Consistency with the County General Plan of Proposed Change of Organization or Reorganization Outside of a City’s SOI Boundary</i></p>	<p>N/A</p>	<p>Located within City limits.</p>
<p><i>5. Requirement for Pre-Approval</i></p>	<p>Consistent</p>	<p>Request for detachment initiated by District Resolution 20-23 (Attachment B)</p>
<p><i>6. Effect on Natural Resources (California Environmental Quality Act – CEQA)</i></p>	<p>Consistent</p>	<p>The City approved the FEIR and made determinations, added conditions, adopted a mitigation monitoring program, and adopted a statement of overriding considerations.</p> <p>The complete DEIR, FEIR, and related City documents in their entirety are provided</p>

Standard	Policy Consistency	Analysis
		electronically and made part of this report: https://www.fairfield.ca.gov/civicax/filebank/blobdload.aspx?BlobID=17947
<i>7. Proposal Boundaries, Map and Geographic Description Requirements, Other Exhibits</i>	Consistent	The map and geographic description are attached as Exhibit A to the proposed LAFCO Resolution.
<i>8. Likelihood of Significant Growth and Effect on Other Incorporated or Unincorporated Territory</i>	Consistent	Significant urban growth is expected in the proposal and adjacent areas.
<i>9. Protection of Prime Agricultural Land</i>	N/A	Proposal is located within the City; effects on prime ag lands were considered during reorganization.
<i>10. Provision and Cost of Community Services</i>	N/A	Proposal is to consider detachment from SID only; proposal site is within the City’s jurisdiction.
<i>11. The Effect of the Proposed Action on Adjacent Areas, Mutual Social and Economic Interests, and on Local Governmental Structure</i>	Consistent	Per SID staff, all fees have been paid consistent with the City and SID’s existing joint powers agreement.

Conducting Authority (Protest Hearing) Proceeding:

The proposal area is undeveloped and considered legally uninhabited per GC Section 56079.5. Furthermore, the property owner has submitted a letter to the Commission consenting to the change of organization. Therefore, staff recommends the Commission waive the conducting authority proceeding pursuant to GC Section 56662(d).

Summary of Findings and Determinations:

Staff recommends the following findings and determinations based on project research and the analysis included in prior sections of this document, State law, and the Commission’s adopted policies:

1. The subject detachment is consistent with the District’s SOI; the proposal area will be removed from the District’s SOI as part of the Commission’s action.
2. The subject detachment allows the City of Fairfield and the Solano Irrigation District to comply with a joint powers agreement and understanding that the subject property shall be detached from the District’s service area and that City will provide water prior to development.
3. The subject detachment eliminates the potential for duplication of two service providers.
4. The subject proposal area is “uninhabited” as defined by Government Code (GC)

§56079.5. Application for the subject detachment is made subject to GC §56650 et seq. by resolution of the Solano Irrigation District. All landowners have consented to the proposal; therefore, the Commission waives the conducting authority proceedings.

5. The boundaries are definite and certain and conform to lines of ownership and parcel lines. The detachment will provide a logical and orderly boundary for the Solano Irrigation District.
6. The environmental documents were approved by the City of Fairfield as the lead agency in November 2019 (SCH #2018082002) and are found to satisfy the requirements of the California Environmental Quality Act (CEQA). The environmental impacts of the change of organization have been disclosed and adequately addressed by the lead agency and the potential environmental effects have been adequately mitigated. The City of Fairfield has fulfilled its obligations under CEQA and the EIR and associated environmental documents for the Green Valley II Mixed-Use Project adequately disclose and describe the subject change of organization project.
7. The subject detachment is in the best interests of the citizens within the affected area.
8. The subject detachment will not result in negative impacts to the cost and adequacy of services otherwise provided by SID to adjacent areas within their service boundaries.
9. The subject detachment will result in no loss of tax base from SID and a gain of the same amount for the City of Fairfield.¹
10. The District has collected all applicable detachment fees per the agreement between the City and the District.

Terms and Conditions of Approval per GC Sections: 56885, 56885.5, and 56886:

Staff recommends the Commission approve the proposed change of organization with the following terms and conditions of approval:

1. The Commission orders the change of organization without a conducting authority proceeding and without an election as provided by GC Section 56885.5.
2. Immediately following LAFCO approval and prior to issuance of the Certificate of Completion, the applicant shall submit a warrant to LAFCO for the County Assessor Recorder for \$218 and CA State Board of Equalization for \$500.
3. The effective date of the change of organization shall be the date of the recordation made with the County Recorder of the Certificate of Completion per GC Section 57202.

Attachments: Attachment A – Draft LAFCO Resolution # 21-10
 Exhibit A – Map and Geographical Description
 Exhibit B – CEQA MMRP and Statement of Overriding Considerations
 Attachment B – SID Resolution # 20-23 Initiating the Change of Organization

¹ Auditor-Controller advises that there is no base exchange

LAFCO RESOLUTION NO. 21-10

RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS, AND APPROVING GREEN VALLEY II APARTMENTS DETACHMENT FROM SOLANO IRRIGATION DISTRICT

(LAFCO PROJECT 2021-04)

WHEREAS, a resolution making application for the proposed detachment of certain territory from the Solano Irrigation District in Solano County was filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with Section §56000, et seq. of the Government Code by the Solano Irrigation District; and,

WHEREAS, the Executive Officer has examined the proposal and certified that it is complete and has accepted the proposal for filing as of August 17, 2021; and,

WHEREAS, the proposal is exempt from the requirements for notice and hearing pursuant to Government Code §56663, because it consists of detachment only, and 100% of landowners have given their written consent to the proposal; and,

WHEREAS, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including his recommendations, and has furnished a copy of this report to each person entitled to a copy; and,

WHEREAS, the City of Fairfield, as lead agency for the Green Valley II Mixed-Use Project has certified an environmental impact report (EIR) (State Clearing House #2018082002) on November 2019, the Commission, as the responsible agency, has reviewed and considered the environmental documents prepared and approved by the City of Fairfield including the EIR, findings, overriding considerations, mitigations, mitigation monitoring plans, and related documents; and,

WHEREAS, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the staff report and recommendation, the environmental document and determination, plans for providing service, spheres of influence, applicable municipal service reviews, the specific plan, and the City's general plan; and,

WHEREAS, the Commission has considered and made findings with respect to the reorganization's compliance with Solano LAFCO's "Standards for Evaluation of Annexation Proposals"; and,

WHEREAS, the Commission does hereby make the following findings and determinations regarding the proposal:

1. The subject detachment is consistent with the District's SOI; the proposal area will be removed from the District's SOI as part of the Commission's action.

2. The subject detachment allows the City of Fairfield and the Solano Irrigation District to comply with a joint powers agreement and understanding that the subject property shall be detached from the District's service area and that City will provide water service prior to development.
3. The subject detachment eliminates the potential for duplication of two service providers to the subject property.
4. The subject proposal area is "uninhabited" as defined by Government Code (GC) §56079.5. Application for the subject detachment is made subject to GC §56650 et seq. by resolution of the Solano Irrigation District. All landowners have consented to the proposal therefore; the Commission waives the conducting authority proceedings/protest hearing.
5. The boundaries are definite and certain and conform to lines of ownership and parcel lines. The detachment will provide a logical and orderly boundary for the Solano Irrigation District.
6. The environmental documents were approved by the City of Fairfield as the lead agency on November 2019 (SCH #2018082002) and are found to satisfy the requirements of the California Environmental Quality Act (CEQA). The environmental impacts of the change of organization have been disclosed and adequately addressed by the lead agency and the potential environmental effects have been adequately mitigated. The City of Fairfield has fulfilled its obligations under CEQA and the EIR and associated environmental documents for the Green Valley II Mixed-Use Project adequately disclose and describe the subject change of organization project.
7. The subject detachment is in the best interests of the citizens within the affected area.
8. The subject detachment will not result in negative impacts to the cost and adequacy of services otherwise provided by SID to adjacent areas within their service boundaries.
9. The subject detachment will result in no loss in tax base from SID.
10. The District has collected all applicable detachment fees per the agreement between the City and the District.

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

1. The Green Valley II detachment from SID is approved, subject to conditions listed below.
2. Said territory is detached as proposed and as set forth and described in the attached descriptive map and geographical description marked "Exhibit A" and by this reference incorporated herein.
3. Pursuant to Section 15096 of the CEQA Guidelines, LAFCO has considered the Environmental Impact Report and related environmental documents adopted by the

Lead Agency. LAFCO hereby adopts the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program prepared and adopted by the Lead Agency marked "Exhibit B" and by this reference incorporated herein.

- 4. Said territory includes approximately 9.61 acres and is found to be uninhabited, and the territory is assigned the following short form designation:

Green Valley II Detachment from Solano Irrigation District

- 5. The proposal area shall be removed from the sphere of influence of the Solano Irrigation District concurrent with the subject detachment.
- 6. The following changes of organization or reorganization are approved:

Detachment from Solano Irrigation District

- 7. All subsequent proceedings in connection with this detachment shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
- 8. Conducting Authority proceedings are waived.
- 9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing same.

Terms and Conditions of Approval per GC Sections: 56885, 56885.5, and 56886:

- 1. The Commission orders the change of organization without an election as provided by GC 56885.5.
- 2. Immediately following LAFCO approval and prior to issuance of the Certificate of Completion, the applicant shall submit a warrant to LAFCO for the County Assessor Recorder for \$218 and CA State Board of Equalization for \$500.
- 3. The effective date of the change of organization shall be the date of the recordation made with the County Recorder of the Certificate of Completion per GC Section 57202.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of Solano County at a regular meeting, held on the 18th day of October 2021, by the following vote:

AYES:
NOES:
ABSENT:

Ronald Rowlett II, Chair
Presiding Officer Solano LAFCO

ATTEST:

Jeffrey Lum, Clerk to the Commission

**LAFCO PROJECT NO. 2020-____
DETACHMENT NO. 2020-314
GREEN VALLEY II
DETACHMENT FROM SOLANO IRRIGATION DISTRICT**

Located in Section 6, Township 4 North, Range 2 West,
Mount Diablo Base and Meridian
City of Fairfield, County of Solano, State of California



VICINITY MAP
Not to Scale

Description consists of 3 pages.
Plat maps consists of 2 pages.

ENGINEER'S STATEMENT:

This description and exhibit of the Solano Irrigation District's boundary is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described. It is for assessment purposes only.

Prepared on 9.23, 2021 by or under the direction of:

Thomas A. Phillippi, RCE 32067
Phillippi Engineering, Inc.

SOLANO IRRIGATION DISTRICT:

This description and exhibit have been reviewed and the information provided has been verified to tie to approved existing District boundaries, prior annexations and detachments.

Dated: _____, 2021

Paul Fuchslin, Real Property Administrator
Solano Irrigation District

COUNTY SURVEYOR'S STATEMENT:

This description and exhibit meets the requirements of the State Board of Equalization, the Solano County Assessor/Recorder's Office and confirms to the lines of assessment.

Dated: OCTOBER 4, 2021

Danielle L. Goshert, PLS 8491
Deputy Solano County Surveyor

APPROVED BY LOCAL AGENCY FORMATION COMMISSION:

Dated: _____, 2021

Rich Seithel, Executive Officer
Solano LAFCO

**EXHIBIT A
GREEN VALLEY II
DETACHMENT NO. 2020-314
DETACHMENT FROM THE SOLANO IRRIGATION DISTRICT**

All that certain real property situated in the City of Fairfield, County of Solano, State of California, located in Section 6, Township 4 North, Range 2 West, Mount Diablo Base and Meridian and more particularly described as follows:

Being a portion of APN 0148-540-370, Solano County Records, and more particularly described as follows:

Area 1:

BEGINNING at the northeasterly corner of that parcel of land as established by Detachment No. 78-148, McDevitt (Mangels Ranch Sub'd) detachment from SID, Certificate of Completion dated and recorded December 27, 1979 as Page 110453, Instrument No. 65680, Solano County Records (hereinafter referred to as Detachment No. 78-148), having a State Plane Coordinate System Value of N=1843851.54, E=6523822.34; thence along the northeasterly line of said Detachment No. 78-148, (L01) North 63°31'09" West (North 63°34'30" West per Detachment 78-148), 224.03 feet to the beginning of a non-tangent curve to the left, said curve being the easterly line of Business Center Drive; thence leaving said northeasterly line, along said easterly line the following six (6) arcs, courses and distances:

1. (C01) having a chord bearing North 06°47'01" East and a chord distance of 167.87 feet, from a radial bearing North 80°52'57" West, northerly along said curve, having a radius of 2061.00 feet, through a central angle of 04°40'05" and an arc distance of 167.92 feet;
2. (L02) North 04°26'58" East, 4.49 feet to the beginning of a non-tangent curve to the right;
3. (C02) having a chord bearing North 23°18'52" East and a chord distance of 134.28 feet, from a radial bearing North 73°29'32" West, northerly along said curve, having a radius of 566.50 feet, through a central angle of 13°36'48" and an arc distance of 134.60 feet to a point of reverse curvature;
4. (C03) having a chord bearing North 42°00'53" East and a chord distance of 41.22 feet, northerly along said reversing curve, having a radius of 100.00 feet, through a central angle of 23°47'14" and an arc distance of 41.52 feet to a point of reverse curvature;
5. (C04) having a chord bearing North 45°33'16" East and a chord distance of 29.06 feet, northerly along said reversing curve, having a radius of 100.00 feet, through a central angle of 16°42'27" and an arc distance of 29.16 feet to a point of reverse curvature;
6. (C05) having a chord bearing North 59°27'06" East and a chord distance of 419.94 feet, leaving said easterly line, northeasterly along said reversing curve, having a radius of 554.50 feet, through a central angle of 44°30'06" and an arc distance of 430.68 feet to a point on the southerly line of Mangels Boulevard;

Thence along said southerly line, (L03) South 85°33'02" East, 216.54 feet to the beginning of a curve to the right; thence leaving said southerly line, (C06) having a chord bearing South 40°32'30" East and a chord distance of 56.58 feet, southerly along said curve, having a radius of 40.00 feet, through a central angle of 90°01'04" and an arc distance of 62.84 feet to a point on the westerly line of Suisun Valley Road; thence along last said westerly line, the following four (4) arcs, courses and distances;

1. (L04) South 04°28'02" West, 290.47 feet;
2. (L05) South 09°13'17" West, 119.87 feet to the beginning of a curve to the right;
3. (C07) having a chord bearing South 24°11'36" West and a chord distance of 83.70 feet, southerly along said curve, having a radius of 162.00 feet, through a central angle of 29°56'38" and an arc distance of 84.66 feet;
4. (L06) South 39°09'55" West, 143.63 feet to the beginning of a curve to the right, said point being a point on the westerly line of Neitzel Road;

Thence southerly along last said curve and westerly line, (C08) having a chord bearing South 19°49'49" West and a chord distance of 129.79 feet, having a radius of 196.00 feet, through a central angle of 38°40'13" and an arc distance of 132.29 feet; thence leaving said last said westerly line, the following two (2) courses and distances:

1. (L07) North 85°33'23" West, 344.13 feet to a point on the easterly line of said Detachment 78-148;
2. (L08) North 11°22'51" East (North 11°19'30" East per Detachment 78-148), 93.90 feet to the **Point of Beginning**.

Containing: 9.61 Acres, more or less.

APN: a portion of APN 0148-540-370

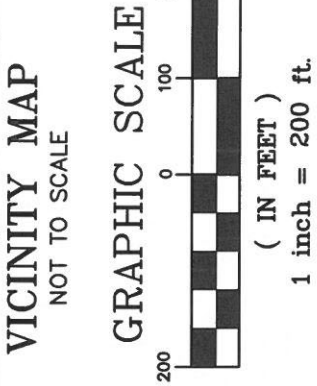
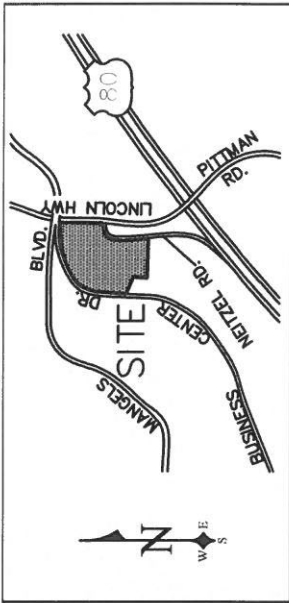
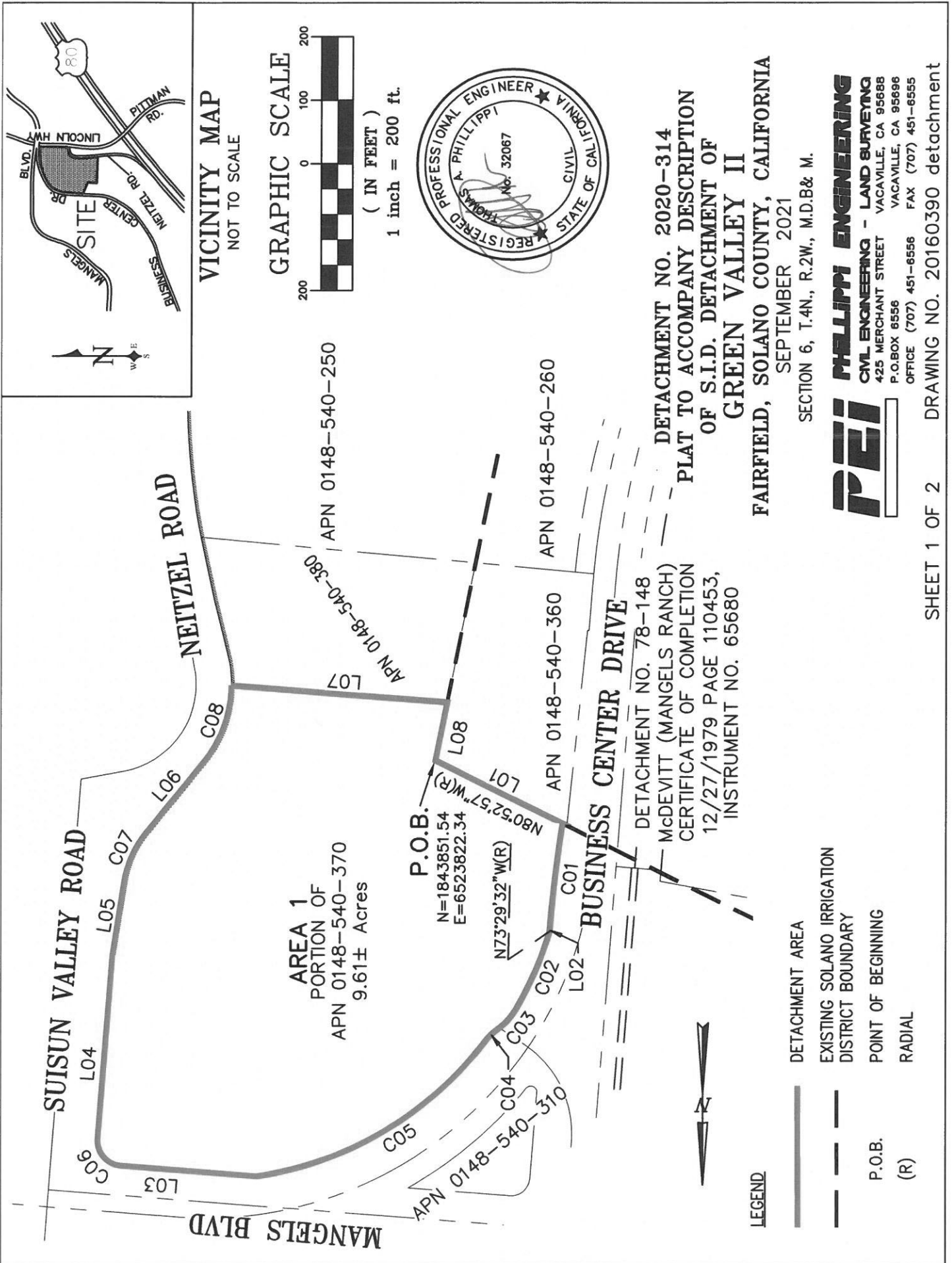
End of description.

This Description was prepared by or under the direction of:

Thomas A. Phillippi, RCE 32067

9.23.21
Date





DETACHMENT NO. 2020-314
 PLAT TO ACCOMPANY DESCRIPTION
 OF S.I.D. DETACHMENT OF
 GREEN VALLEY II

FAIRFIELD, SOLANO COUNTY, CALIFORNIA
 SEPTEMBER 2021
 SECTION 6, T.4N., R.2W., M.D.B& M.



PELLIPPI ENGINEERING
 CIVIL ENGINEERING - LAND SURVEYING
 425 MERCHANT STREET VACAVILLE, CA 95688
 P.O. BOX 6556 VACAVILLE, CA 95696
 OFFICE (707) 451-6556 FAX (707) 451-6555

SHEET 1 OF 2 DRAWING NO. 20160390 detachment

- LEGEND**
- DETACHMENT AREA
 - - - EXISTING SOLANO IRRIGATION DISTRICT BOUNDARY
 - P.O.B.
 - (R) RADIAL

Line Table		
Line #	Direction	Length
L01	N63°31'09"W	224.03'
(N63°34'30"W PER 78-148)		
L02	N04°26'58"E	4.49'
L03	S85°33'02"E	216.54'
L04	S04°28'02"W	290.47'
L05	S09°13'17"W	119.87'
L06	S39°09'55"W	143.63'
L07	N85°33'23"W	344.13'
L08	N11°22'51"E	93.90'
(N11°19'30"E PER 78-148)		

Curve Table				
Curve #	Delta	Length	Radius	Chord
C01	04°40'05"	167.92'	2061.00'	N06°47'01"E 167.87'
C02	13°36'48"	134.60'	566.50'	N23°18'52"E 134.28'
C03	23°47'14"	41.52'	100.00'	N42°00'53"E 41.22'
C04	16°42'27"	29.16'	100.00'	N45°33'16"E 29.06'
C05	44°30'06"	430.68'	554.50'	N59°27'06"E 419.94'
C06	90°01'04"	62.84'	40.00'	S40°32'30"E 56.58'
C07	29°56'38"	84.66'	162.00'	S24°11'36"W 83.70'
C08	38°40'13"	132.29'	196.00'	S19°49'49"W 129.79'

DETACHMENT NO. 2020-314
PLAT TO ACCOMPANY DESCRIPTION
OF S.I.D. DETACHMENT OF
GREEN VALLEY II
FAIRFIELD, SOLANO COUNTY, CALIFORNIA

SEPTEMBER 2021
 SECTION 6, T.4N., R.2W., M.D.B& M.



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SHEET 2 OF 2 DRAWING NO. 20160390 detachment

EXHIBIT B**Green Valley II Mixed-Use Project****CEQA Findings and Statement of Overriding Considerations****Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code**

The Final Environmental Impact Report (Final EIR) prepared by the City of Fairfield (City) for the Green Valley II Mixed-Use Project (project) consists of the Draft EIR and Response to Comments on the Draft EIR. The Final EIR identifies significant environmental impacts that will result from implementation of the project. However, the City finds that the inclusion of certain mitigation measures as part of project approval will reduce most impacts to less-than-significant levels. The impacts which are not reduced to less-than-significant levels are identified and overridden due to specific considerations that are described below.

As required by CEQA, the City, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program for the project. The City finds that the Mitigation Monitoring and Reporting Program, which is incorporated by reference and made a part of these findings included as Exhibit "B" to the Resolution adopting these findings, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project. In accordance with CEQA and the *CEQA Guidelines*, the City adopts these findings as part of the certification of the Final EIR for the project. Pursuant to Public Resources Code Section 21082.1(c)(3), the City also finds that the Final EIR reflects the City's independent judgment as the lead agency for the project.

Certification of the Final Environmental Impact Report

The City Council certifies the following with respect to the Green Valley II Project Final EIR:

- A. The City Council has reviewed and considered the Final EIR.
- B. The Final EIR has been completed in compliance with the California Environmental Quality Act.
- C. The Final EIR, and all related public comments and responses have been presented to the Planning Commission and City Council, and they have reviewed and considered the information contained in the Final EIR and testimony presented at the public hearings prior to approving the project.
- D. The Final EIR reflects the independent judgment of the City, acting as the lead agency for the project.

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SECTION 1: INTRODUCTION

1.1 Statutory Requirements for Findings

Section 15091 of the CEQA Guidelines states that:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that will otherwise occur with implementation of the project. Project mitigation or alternatives are not required where they are infeasible or where the responsibility for modifying the project lies with another agency.

For those significant effects that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. Section 15093 of the *CEQA Guidelines* states that:

"If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

1.2 Record of Proceedings

For the purposes of CEQA and the findings set forth herein, the record of proceedings for the City's decision on the project consists of: a) matters of common knowledge to the City, including, but not limited to, federal, State and local laws and regulations; and b) the following documents which are in the custody of the City:

- Notice of Preparation of an Environmental Impact Report, dated August 2018, and all responses submitted regarding the Notice of Preparation.
- Draft Environmental Impact Report, dated August 22, 2019.
- Errata to the Draft EIR, dated August 22, 2019.
- All written comments submitted by agencies and members of the public during the public comment period on the Draft EIR and responses to those comments (see Section 3.0 of the Final EIR, *Responses to Comments*);
- The Mitigation Monitoring and Reporting Program;
- All findings, statements of overriding consideration, and resolutions adopted by the City in connection with the project, and all documents cited or referred therein;
- All final reports, studies, memoranda, maps, correspondence, and all planning documents prepared by the City or the consultants to each, or responsible or trustee agencies with respect to: a) the City's compliance with CEQA; b) development of the project site; or c) the City's action on the project; and
- All documents submitted to the city by agencies or members of the public in connection with development of the project.

1.3 Organization/Format of Findings

Section 2 of these findings contains a summary description of the project, sets forth the objective of the project and provides related background information. Section 3 identifies the project's potential environmental effects that were determined not to be significant, and do not require mitigation. Section 4 identifies the potentially significant effects of the project that were determined to be mitigated to a less-than-significant level. All numbered references identifying specific mitigation measures refer to numbered mitigation measures found in the Final EIR. Section 5 identifies significant cumulative effects

and Section 6 identifies the significant impacts that cannot be mitigated to a less-than-significant level even though all feasible mitigation measures have been identified and incorporated into the project. Section 7 discusses the feasibility of project alternatives. Section 8 includes the City's Statement of Overriding Considerations. Section 9 includes a list of General Findings made and adopted by the City. These findings summarize the impacts and mitigation measures from the Final EIR and Responses to Comments document. Full descriptions and analyses are contained in the Draft EIR.

SECTION 2: GREEN VALLEY II MIXED-USE PROJECT

2.1 Project Objectives

The objectives of the project are to develop a well-designed, economically feasible residential community that consists of a variety of residential unit types and incorporates smart growth elements. The applicant's key objectives for the proposed project are to:

- Create a development of a scale and character that complements and is supportive of the surrounding uses; and
- Develop a well-designed, economically feasible residential community that consists of a variety of residential products and unit types.

2.2 Project Description

The proposed project would have developed a 270-unit apartment complex and an approximately 22,600 square-foot commercial complex on the project site. Specifically, the proposed apartment complex would have included four apartment buildings, a clubhouse, recreation areas, parking, and associated site improvements while the commercial complex would have consisted of four buildings, parking, and associated site improvements. The project site is currently designated IBP (Industrial Business Park) by the General Plan and Zoning Ordinance. As the proposed project would include residential and commercial uses, which are not permitted under the existing general plan and zoning designations, the project proposal requires a General Plan Amendment (GPA) and Zone Change (ZC).

Additional approvals required include Development Review, a conditional use permit to allow additional building height for the apartment buildings , and a lot line adjustment. A more detailed description of the proposed project is provided in Section 3.0, Project Description, of the Draft EIR.

Through a deliberative planning process and the subsequent alternative analysis, the City has determined to approve a modified version of Alternative 4 discussed in the Final EIR rather than the proposed project. Alternative 4 has been modified to include a 281-unit apartment complex and a 1.5-acre public

facility site on Business Center Drive. This site would be used to accommodate a new fire station for the benefit of the greater Fairfield community.

The City reviewed two fire station alternatives. The original Fire Station/Residential Alternative would replace the commercial component contemplated under the proposed project with a fire station. The residential component would be located on the remainder of the site and would consist of four 4-story buildings containing 365 units. When considering the original Alternative 4 Fire Station/Residential proposal, City staff determined that the fire station site location posed several challenges and did not meet the needs and standards of the City; as discussed in Section 5.6.3, Alternative 4: Fire Station/Residential, of the Final EIR. Therefore, a second location for the fire station was identified and analyzed, the Modified Fire Station/Residential Alternative 4.

The site plan for the Modified Fire Station/Residential Alternative 4 project is similar to the site plan for the original Alternative 4, with the key difference being the removal of one apartment building on the southwest corner of the site and a different on-site location of the proposed fire station. This revision also has fewer units, the unit total being 281 units.

Similar to the proposed project, the Modified Fire Station/Residential Alternative 4 project would require the two entitlements, a GPA and ZC from IBP (Industrial Business Park) to RVH (Residential Very High) for the 9.84-acre apartment complex site. As well as a ZC from IBP to PF (Public Facility) for the 1.5-acre public facility site.

2.3 Alternatives

Based on the project objectives and anticipated environmental consequences, and pursuant to Section 15126.6 of the CEQA Guidelines, the following project alternatives were selected for analysis:

- The **No Project/No Development** alternative assumes the continuation of existing conditions within the project site.
- The **No Project/Existing Zoning** alternative assumes that the project site would be developed by another entity consistent with the site's existing land use and zoning designations.
- The **Reduced Residential** alternative would reduce the number of residential units on the project site to 135 units in four 2-story buildings as opposed to 270 units in four 4-story buildings under the proposed project.
- The modified **Residential/Fire Station** alternative would replace the project's commercial component with a fire station and 281 residential units instead of the project's 270 units.

A more detailed description of these alternatives, and required findings, are set forth in **Section 7: Feasibility of Project Alternatives**.

SECTION 3: EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT OR NOT SIGNIFICANT

The City finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Modified Fire Station/Residential Alternative 4 project are not significant or less than significant.

3.1 Air Quality

Operation of the proposed Modified Fire Station/Residential Alternative 4 project would not result in a cumulatively considerable net increase of any criterion pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Implementation of the proposed Modified Fire Station/Residential Alternative 4 project would not conflict with or obstruct implementation of the applicable air quality plan.

Implementation of the proposed Modified Fire Station/Residential Alternative 4 project would not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard

The proposed Modified Fire Station/Residential Alternative 4 project, in conjunction with other past, present and reasonably foreseeable future development, would not result in significant cumulative community health risk.

3.2 Biological Resources

The proposed Modified Fire Station/Residential Alternative 4 project would not directly or indirectly affect any riparian habitat or sensitive natural community.

The proposed Modified Fire Station/Residential Alternative 4 project would not have a substantial adverse effect on state or federally protected wetlands.

The proposed Modified Fire Station/Residential Alternative 4 project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

The proposed Modified Fire Station/Residential Alternative 4 project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

3.3 Cultural and Tribal Resources

The proposed Modified Fire Station/Residential Alternative 4 project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

3.4 Greenhouse Gas Emissions

Modified Fire Station/Residential Alternative 4 project construction and operation would not generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment.

The proposed Modified Fire Station/Residential Alternative 4 project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

3.5 Hazards and Hazardous Materials

The proposed Modified Fire Station/Residential Alternative 4 project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

The proposed Modified Fire Station/Residential Alternative 4 project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The proposed Modified Fire Station/Residential Alternative 4 project would not expose future project site residents to substantial risk associated with hazardous materials storage and use on nearby properties.

The proposed Modified Fire Station/Residential Alternative 4 project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The project site is not located on a list of hazardous material sites subject to corrective action compiled pursuant to Government Code Section 65962.5 (Cortese List).

The proposed Modified Fire Station/Residential Alternative 4 would not result in a safety hazard to aircraft due to building construction or excessive noise for people living or working on the site.

The proposed Modified Fire Station/Residential Alternative 4 project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan nor would the proposed project expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

The proposed Modified Fire Station/Residential Alternative 4 project, in conjunction with other past, present and reasonably foreseeable future development, would not result in significant cumulative impacts related to hazardous materials.

3.6 Land Use and Planning

The proposed Modified Fire Station/Residential Alternative 4 project would not physically divide an established community.

The proposed Modified Fire Station/Residential Alternative 4 project would not cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The proposed Modified Fire Station/Residential Alternative 4 project, in conjunction with other past, present and reasonably foreseeable future development, would not result in significant cumulative impacts related to land use and planning.

3.7 Noise

The proposed Modified Fire Station/Residential Alternative 4 project would generate increased traffic in the project vicinity but the increase in traffic would not generate a substantial permanent increase in ambient noise levels at off-site sensitive receptors in the project vicinity in excess of standards established in the local general plan or noise ordinance.

The proposed Modified Fire Station/Residential Alternative 4 project would add new stationary and area noise sources to the project site but noise from these new noise sources would not generate a substantial permanent increase in ambient noise levels at off-site sensitive receptors in the project vicinity in excess of standards established in the local general plan or noise ordinance.

Implementation of the proposed Modified Fire Station/Residential Alternative 4 project would not generate excessive groundborne vibration or groundborne noise levels.

Cumulative development would generate increased traffic; these increases in traffic would not cause a substantial permanent increase in noise levels at off-site locations.

Construction activities associated with the proposed Modified Fire Station/Residential Alternative 4 project, along with other construction projects in Solano County, would not result in a substantial temporary or periodic cumulative increase in ambient noise levels.

3.8 Public Services

The proposed Modified Fire Station/Residential Alternative 4 project would construct a new fire station and improve area response times. The impacts of this construction have been analyzed and disclosed as less than significant in other sections of the EIR.

The proposed Modified Fire Station/Residential Alternative 4 project would not require the construction of new or physically altered police facilities.

The proposed Modified Fire Station/Residential Alternative 4 project would require the construction of new or physically altered school facilities. However, the construction of new school facilities would not cause significant environmental impacts.

The proposed Modified Fire Station/Residential Alternative 4 project would not require the construction of new or physically altered library facilities.

Development of the proposed Modified Fire Station/Residential Alternative 4 project would increase the use of existing neighborhood parks or other recreational facilities but not result in substantial physical deterioration of the facilities. In addition, the demand created by the proposed Modified Fire Station/Residential Alternative 4 project would not require the construction of new or physically altered parks and recreation facilities.

The proposed Modified Fire Station/Residential Alternative 4 project, would construct a new fire station, thus accommodating other closely related past, present and reasonably foreseeable future development, which could have resulted in a need for a new fire station.

3.9 Transportation

Development of the proposed Modified Fire Station/Residential Alternative 4 project, in combination with reasonably foreseeable future developments, would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b).

Development of the proposed Modified Fire Station/Residential Alternative 4 project, in combination with reasonably foreseeable future developments, would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Development of the proposed Modified Fire Station/Residential Alternative 4 project, in combination with reasonably foreseeable future developments, would not result in inadequate emergency access.

3.10 Utilities and Service Systems

The Modified Fire Station/Residential Alternative 4 project could require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power,

natural gas, or telecommunications facilities, but the construction or relocation would not cause significant environmental effects

City of Fairfield Municipal Utilities would have sufficient water supplies available to serve the Modified Fire Station/Residential Alternative 4 project and reasonably foreseeable future development during normal, dry, and multiple dry years.

City of Fairfield Municipal Utilities would have adequate capacity to serve the Modified Fire Station/Residential Alternative 4 project's projected wastewater treatment demand in addition to existing commitments.

The proposed Modified Fire Station/Residential Alternative 4 project would not generate solid waste in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

The proposed Modified Fire Station/Residential Alternative 4 project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

The proposed Modified Fire Station/Residential Alternative 4 project, in conjunction with other past, present and reasonably foreseeable future development, would not result in a significant cumulative impact on utilities.

3.11 Energy

Construction and operation of the proposed Modified Fire Station/Residential Alternative 4 project would increase the consumption of energy but would not result in wasteful, inefficient or unnecessary consumption of energy

The proposed Modified Fire Station/Residential Alternative 4 project would not conflict with or obstruct state or local plans for renewable energy or energy efficiency.

SECTION 4: EFFECTS DETERMINED TO BE MITIGATED TO LESS-THAN-SIGNIFICANT LEVELS

The Draft EIR identified certain potentially significant effects that could result from the Modified Fire Station/Residential Alternative 4 project. However, based upon substantial evidence in the record the City finds that for each of the significant or potentially significant impact identified in this section (Section 4) that, , changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the Final EIR. Thus, adoption of these mitigation measures set forth below will reduce these significant or potentially significant effects to less-

than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the Modified Fire Station/Residential Alternative 4 project.

4.1 Air Quality

Impact AIR-1: Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust, including PM10 and PM2.5. Unless properly controlled, vehicles leaving the site could deposit mud on local streets, which could be an additional source of airborne dust after it dries. The impact from dust, PM10 and PM2.5 emissions would be potentially significant.

Mitigation Measure AIR-1: The following BMPs shall be included in the construction documents, and the construction contractor(s) shall implement them during project construction, which shall be monitored by the City of Fairfield:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible after grading, unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted at the project site. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Finding for Impact AIR-1: Mitigation Measure AIR-1 will substantially reduce the impacts from dust, PM10, and PM2.5 emissions. Pursuant to *CEQA Guidelines*, the City finds that Mitigation Measure AIR-1 will be incorporated into the Modified Fire Station/Residential Alternative 4 project via conditions of approval and will reduce Impact AIR-1 to a less-than-significant level.

Impact AIR-3: Modified Fire Station/Residential Alternative 4 project construction has the potential to expose nearby receptors to substantial pollutant concentrations, resulting in a significant impact before mitigation.

Mitigation Measure AIR-3: The construction contractor(s) shall implement the following mitigation measures during project construction, which shall be verified by the City of Fairfield:

- All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.
- All diesel-powered portable equipment (i.e., air compressors, concrete saws, and forklifts) operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.

Finding for Impact AIR-3: Mitigation Measure AIR-3 will substantially reduce impacts to sensitive receptors from elevated TAC concentrations during construction. Pursuant to *CEQA Guidelines*, the City finds that Mitigation Measure AIR-3 will be incorporated into the Modified Fire Station/Residential Alternative 4 project via conditions of approval and will reduce Impact AIR-1 to a less-than-significant level.

Impact AIR-4: Modified Fire Station/Residential Alternative 4 project construction would generate localized emissions of diesel exhaust during equipment operation and truck activity that may generate odors. The Modified Fire Station/Residential Alternative 4 project operation is not anticipated to result in the exposure of a substantial number of people to adverse odors.

Finding for Impact AIR-4: The inclusion of BAAQMD-recommended management practices and MM AIR-3_would reduce Impact AIR-4 to a less-than-significant level.

4.2 Biological Resources

Impact BIO-1: The pappose tarplant, a special-status species, has a moderate potential to occur on the Modified Fire Station/Residential Alternative 4 project site due to the presence of suitable soil conditions, the presence of associated species, and the relative locations of documented occurrences in the greater vicinity. If the plant is present on the site and removed in order to construct the proposed development, its removal would represent a significant impact.

Mitigation Measure BIO-1: A pre-construction special-status plant survey shall be conducted by a qualified biologist during the blooming period of the pappose tarplant, ideally during the summer months. If no plants are found, then no further action is required.

If this species is observed on the project site, then appropriate avoidance and minimization and/or mitigation measures shall be implemented, dependent upon the results of the survey, which could include one or more of the following:

- 1) Avoiding areas where the plants occur. The avoidance area will consist of the locations of the plants and a 15-foot buffer around each plant. During project implementation, the avoidance area may be delineated by the use of orange construction fencing and/or silt fencing. Following completion of the project, the avoidance area will be delineated by permanent fencing.
- 2) Preserving land where the species is known to exist.
- 3) Collecting mature seeds of the species on-site and establishing a similar sized population at a different suitable location. The new, CDFW-approved location will be monitored for five (5) years to ensure that pappose tarplant has established. Specific monitoring conditions will be followed according to regulatory permits.

Finding for Impact BIO-1: As part of MM-BIO-1, a qualified biologist shall conduct a special-status plant survey to determine whether the pappose tarplant is present at the Modified Fire Station/Residential Alternative 4 project site. If the plant is found, appropriate measures shall be implemented to avoid impact. This would reduce impacts to a less-than-significant level.

Impact BIO-2: Although the valley oak tree on the Modified Fire Station/Residential Alternative 4 project site is not a documented nest site for any special-status bird species, it provides potential suitable nesting

habitat for the white-tailed kite and Swainson's hawk. In addition, various common bird species could nest on or near the Modified Fire Station/Residential Alternative 4 project site. Therefore, if Modified Fire Station/Residential Alternative 4 project activities occur during the nesting season, and should an active white-tailed kite or Swainson's hawk nest or other protected bird nest occur on or near the Modified Fire Station/Residential Alternative 4 project site, Modified Fire Station/Residential Alternative 4 project-related vegetation removal, ground disturbance and/or construction noise could result in the loss of an active nest or in the disruption of nesting activities and a potentially significant impact would occur.

Mitigation Measure BIO-2: The removal of trees and shrubbery on-site, as well as initial ground disturbance, shall be conducted between September 16 and January 31 (outside of the February 1 to September 15 nesting season) to the extent feasible, which would avoid impacts to nesting birds, including Swainson's hawk.

If such activities must be conducted during the nesting season, a pre-disturbance nesting-bird survey shall be conducted by a qualified biologist approved by CDFW no more than seven (7) days prior to vegetation removal or initial ground disturbance, and anytime a lapse of seven (7) days or more in construction occurs. The survey shall include the disturbance area and surrounding 500 feet (and 1,320 feet for Swainson's hawk) to identify the location and status of any nests that could potentially be affected either directly or indirectly by project activities. The surveys shall be conducted by a qualified biologist with a minimum of two years of experience implementing Swainson's hawk technical advisory survey methodologies.

If active nests of protected species are found within the survey area, a work exclusion zone shall be established around each nest and monitored and adjusted as necessary by the qualified biologist. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes shall be determined by a qualified biologist and vary dependent upon the species, nest location, existing visual buffers, noise levels, and other factors. An exclusion zone radius may be as small as 50 feet for common, disturbance-adapted species or as large as 500 feet or more for raptors. Exclusion zone size may be reduced from established levels if nest monitoring by a qualified biologist indicates that work activities outside the reduced radius are not adversely impacting the nest and that

a reduced exclusion zone would not adversely affect the subject nest in consultation with CDFW.

Finding for Impact BIO-2: Mitigation Measure BIO-2 would require that a pre-construction survey be conducted if construction commences during the nesting season. Special requirements for the surveys are included to address Swainson's hawk, such as the requirement that the surveying biologist have significant experience with Swainson's hawk. If nests are found during the survey, measures would be implemented to require avoidance of impacts to the nesting birds, in consultation with CDFW. Mitigation Measure BIO-2 would reduce this impact to a less than significant level.

Impact BIO-6: The large valley oak on the Modified Fire Station/Residential Alternative 4 project site meets the criterion for a protected tree under the City's code. As the large valley oak tree on the Modified Fire Station/Residential Alternative 4 project site will not be removed and will be incorporated into the design of the Modified Fire Station/Residential Alternative 4 project, the proposed Modified Fire Station/Residential Alternative 4 project would not conflict with the City's tree ordinance. However, unless precautions are taken, project construction activities could adversely affect this tree, and the impact would be potentially significant.

Mitigation Measure BIO-6: The following tree protection measures shall be implemented during construction in the vicinity of the valley oak tree:

- All construction activity (grading, filling, paving, landscaping etc.) shall respect the root protection zone (RPZ) around the protected tree. The RPZ shall be a distance of 1.0 times the dripline radius measured from the trunk of the tree.
- Temporary protective fencing shall be installed around the dripline of the tree prior to commencement of any construction activity conducted within 25 feet of the tree canopy. The fence shall be clearly marked to prevent inadvertent encroachment by heavy machinery.
- Drainage shall not be allowed to pond around the base of the tree.
- An ISA-Certified Arborist or tree specialist shall be retained to perform any necessary pruning of the tree during construction activity.
- Roots exposed as a result of construction activities shall be covered with wet burlap to avoid desiccation and shall be buried as soon as practicable.

- Construction materials or heavy equipment shall not be stored within the RPZ.
- Only an ISA-Certified Arborist or tree specialist should make specific recommendations as to where the tree can safely tolerate some level of fill within the drip line.
- Trenches which are required within the RPZ of the protected tree shall be bored (tunneled) under the root(s) using an auger or drill, rather than trenched, to avoid root disturbance.
- Construction materials shall be properly stored away from the tree to avoid spillage or damage to the tree.

Finding for Impact BIO-6: As detailed in MM-BIO-6, precautions to protect the large valley oak tree would reduce the impact to a less-than-significant level.

4.3 Cultural Resources

Impact CUL-2: Construction associated with the proposed Modified Fire Station/Residential Alternative 4 project could still result in the inadvertent exposure of buried prehistoric or historic archaeological materials that could be eligible for inclusion on the CRHR (Public Resources Code Section 5024.1) and/or meet the definition of a unique archeological resource as defined in Section 21083.2 of the Public Resources Code. Any inadvertent damage to prehistoric and/or historic-period archaeological resources represents a potentially significant impact.

Mitigation Measure CUL-2: Due to the high likelihood of archeological resources on the project site, the City of Fairfield shall require a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials. Construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic archaeological and cultural sensitivity training conducted by a qualified archaeologist and in consultation with the Yocha Dehe Wintun Nation. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits and tribal cultural resources, further described in MM CUL-3. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological deposits and the proper procedures to follow should a resource be identified. The project applicant shall inform

the Yocha Dehe Wintun Nation of the project construction schedule and allow for a Yocha Dehe Wintun Nation tribal monitor to be present at the project site during any ground disturbance activities in native soil, to ensure such activities do not negatively impact cultural resources. The tribal monitor will also be provided an opportunity to attend the pre-construction briefing. The construction contractor, or its designee, shall be responsible for implementation of this measure.

Mitigation Measure CUL-3: If archaeological remains or tribal cultural resources are uncovered, all construction activities within a 100-foot radius shall be halted immediately until a qualified archaeologist, in consultation with the tribal monitor, can evaluate whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered archaeological resources found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Prehistoric archaeological site indicators include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire-affected stones. Historic period site indicators generally include but are not limited to: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps). If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System [CHRIS]), and provide for the permanent curation of the recovered materials. For any tribal cultural resources found during the ground disturbance activities, the Yocha Dehe Wintun Nation shall be immediately notified, and the appropriate treatment method for the uncovered resources shall be determined by the City and archaeologist in consultation with the Yocha Dehe Wintun Nation and its Yocha Dehe Treatment Protocol.

Findings for Impact CUL-2: Implementation of MM-CUL-2 and MM-CUL-3 would ensure that impacts of the proposed Modified Fire Station/Residential Alternative 4 project on currently unknown prehistoric and historic-period archaeological resources would be less than significant, should any be encountered during construction.

Impact-CUL-3: It is possible that human remains are present in the areas that would be affected by excavation. Should such remains be discovered and damaged during Modified Fire Station/Residential Alternative 4 project construction, the impact would be considered potentially significant.

Mitigation Measure CUL-4: The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the Solano County Coroner and the City of Fairfield of the discovery of any human remains.

In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.

The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

Findings for Impact CUL-3: Implementation of MM-CUL-4, which outlines procedures to be followed in the event that previously unidentified human remains are discovered, would reduce impacts to a less than significant level.

Impact CUL-5: AB 52 requires that lead agencies consider the effects of projects on tribal cultural resources and conduct consultation with federally and non-federally recognized Native American tribes early in the environmental review process. In the event that previously unidentified tribal cultural resources, and/or human remains are discovered, a significant impact would occur.

Findings for Impact CUL-5: Mitigation measures CUL-2, CUL-3 and CUL-4 would reduce this impact to less than significant.

Cumulative Impact CUL-1: The general study area that includes the City of Fairfield is known to include both prehistoric and historic cultural resources. Although no prehistoric or historically significant archaeological resources or potentially significant architectural resources were discovered during the field survey, there is high potential that prehistoric and historic resources are located in the vicinity. Previously unknown archaeological resources or human remains could be encountered and/or disturbance of resources and human remains could occur during site grading and excavation.

Findings for Cumulative Impact CUL-1: With implementation of **Mitigation Measure CUL-2 and Mitigation Measure CUL-3**, the contribution of the proposed Modified Fire Station/Residential Alternative 4 project to cumulative impacts on archaeological resources would not be cumulatively considerable. In addition, by ensuring that human remains and any associated or unassociated funerary objects are treated in compliance with applicable State laws by implementation of **Mitigation Measure CUL-4**, the contribution of the proposed Modified Fire Station/Residential Alternative 4 project to cumulative impacts on human remains would not be cumulatively considerable. The impact would be less than significant.

4.4 Geology and Soils

Impact GEO-7: The Modified Fire Station/Residential Alternative 4 project site is underlain with soils that, when subjected to an increase in water content, are prone to expansion. As a result, these soils have the potential to cause vertical movements of building foundations, interior floor slabs, exterior flatwork, and pavements. This represents a potentially significant impact.

Mitigation Measure GEO-7: During construction, approximately 12 to 18 inches of imported, compactable, very low-expansive (Expansion Index \leq 20) granular soils shall be placed beneath interior and exterior concrete slabs-on-grade, including PT slabs, sidewalks, and

pool deck slabs. Alternatively, chemical amendment of on-site or approved imported clay soils (i.e., lime-treatment) may also be considered to reduce the shrinking and swelling potential of on-site or imported clays.

Findings for Impact GEO-7: The placement of 12 to 18 inches of imported, compactable, very low-expansive soil underneath interior and exterior concrete slabs, sidewalks, and pool deck slabs, as required by Mitigation Measure GEO-7, would reduce this impact to a less than significant level.

4.5 Noise

Impact NOI-3: Construction activities would vary over several phases of development and would include off-road larger equipment such as tractors, loaders, and smaller equipment such as saws, hammers, and pneumatic tools. Land uses on the properties surrounding the Modified Fire Station/Residential Alternative 4 project site include residential and medical uses. Construction noise would generally peak during site preparation and grading, where noise generating construction equipment could produce a cumulative 85 dBA at 50 feet of distance. Because construction activities would elevate ambient noise levels by more than 5 dBA at one or more of the adjacent sensitive receptors, construction of the Modified Fire Station/Residential Alternative 4 project would result in a potentially significant construction noise impact.

Mitigation Measure NOI-1 The construction contractor shall ensure that noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. These activities shall be located in the southeast quadrant of the project site, as feasible.

Mitigation Measure NOI-2 The construction contractor shall ensure that barriers such as plywood structures or flexible sound control curtains shall be erected between the proposed project and adjacent sensitive receptors to minimize the amount of noise during construction. These temporary sound barriers shall be capable of achieving a sound attenuation of at least 12 dBA and block the line-of-sight between the project site and these adjacent land uses. This specification shall be included on all project plans.

Mitigation Measure NOI-3 The construction contractor shall ensure the use of power construction equipment with state-of-the-art noise shielding and muffling devices capable of attenuating sound by 3 dBA or more. This specification shall be included on all project plans.

Mitigation Measure NOI-4 The construction staging area shall be as far from sensitive receptors as possible. Staging shall occur in the southeast quadrant of the project site, as feasible.

Mitigation Measure NOI-5 The construction contractor shall ensure that no less than two weeks prior to commencement of construction, notification shall be provided to the off-site residential, school, and church uses within 500 feet of the project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period. Contact information shall also be posted where readily visible to the public.

Findings for Impact NOI-3: Implementation of the mitigation measures listed above relating to construction noise would reduce impacts to less-than-significant-levels.

4.6 Transportation and Traffic

Impact TRANS-1b: The Modified Fire Station/Residential Alternative 4 project site plan shows a sidewalk along the Business Center Drive frontage of the site that would connect to the existing pedestrian facilities at Business Center Drive/Suisun Valley Road. A crosswalk is included at the Business Center Drive/Westamerica Drive-Center Driveway intersection. However, the site plan does not show the addition of a crosswalk across Business Center Drive at this location. Given the residential uses as part of the project and the existing office and residential uses on the other side of Business Center Drive from the project, it is likely that pedestrians *will* cross Business Center Drive at the Business Center Drive/Westamerica Drive-Center Driveway intersection. Therefore, the lack of a crosswalk would conflict with a city objective to encourage walking as an alternative to short distance vehicle travel, constituting a significant impact.

Mitigation Measure TRANS-1b: The project shall install a crosswalk connecting the existing curb ramp at the southwest corner of Business Center Drive/Westamerica Drive-Center Driveway to the proposed curb ramp at the southeast corner of Business Center Drive/Westamerica Drive-Center Driveway. The project shall install pedestrian signal heads for this crossing and retime the signal at this location to account for the pedestrian signal phase at this location.

Findings for Impact TRANS-1b: Installation of the crosswalk detailed in the mitigation measure above would reduce pedestrian impacts to less-than-significant levels.

Impact TRANS-1c: The addition of Modified Fire Station/Residential Alternative 4 project trips to I-80 westbound ramps-Neitzel Road/Suisun Valley Road in the PM peak hour would exacerbate LOS E

operations in the PM peak hour by increasing the average control delay at the intersection by more than 5.0 seconds. Therefore, a significant impact would occur in the PM peak hour.

Mitigation Measure TRANS-1c: I-80 westbound ramps-Neitzel Road/Suisun Valley Road is an all-way stop-controlled intersection that operates unacceptably in the PM peak hour under both EPAP Conditions and EPAP with Project conditions. The intersection meets the Peak Hour Signal Warrant under EPAP Conditions for the PM peak hour.

The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of I-80 westbound ramps-Neitzel Road/Suisun Valley Road:

- Signalize the intersection, including:
 - Northbound and southbound protected left turn phases
 - Eastbound and westbound split phases
- Modify southbound right turn movement to remove the high-speed channelizer island and install a standard right turn pocket

Alternatively, improvements listed above may be funded through payment into the City’s Development Impact Fee (DIF) program if the improvements are part of an identified project in the DIF.

Findings for Impact TRANS-1c: Since the intersection operates unacceptably under EPAP (without Project) Conditions and meets the Peak Hour signal warrant under EPAP (without Project) Conditions, the project applicant shall pay a fair share contribution towards the construction of a signal and other improvements at the intersection. Alternatively, improvements may be funded through payment into the City’s Development Impact Fee (DIF) program. City staff have confirmed that the project is eligible for inclusion into the City’s Capital Improvements Program (CIP), which may allow satisfaction of Mitigation Measure TRANS-1c through payment of Development Impact Fees. As a result of implementing Mitigation Measure TRANS-1c, the project impact is considered less-than-significant with mitigation.

Cumulative Impact C-TRANS-1a: Development of the proposed Modified Fire Station/Residential Alternative 4 project would conflict with plan, ordinance or policy addressing the circulation system,

including transit, roadway, bicycle and pedestrian facilities under Long-Term Cumulative (2035) Plus Project Conditions.

Mitigation Measure C-TRANS-1a: The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of Business Center Drive/Suisun Valley Road:

- Restripe the eastbound approach to include two left turn lanes, two through lanes, and one right-turn only lane.
- Add a right turn overlap phase for the eastbound right turn movement

Findings for Impact C-TRANS-1a: Since the intersection operates unacceptably under Cumulative (without Project) Conditions, the project applicant shall pay a fair share contribution towards the construction the improvement at the intersection that will reduce impacts. Alternatively, improvements may be funded through payment into the City’s Development Impact Fee (DIF) program. City staff have confirmed that the project is eligible for inclusion into the City’s Capital Improvements Program (CIP) and thus the project impact is considered less-than-significant with mitigation.

SECTION 5: SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The Final EIR identifies one impact that cannot be mitigated to a less-than-significant level even though the City finds that all feasible mitigation measures have been identified and adopted as part of the Modified Fire Station/Residential Alternative 4 project. The significant and unavoidable impact is discussed below.

5.1 Transportation and Traffic

Cumulative Impact C-TRANS-1b: I-80 eastbound ramps/Pittman Road (#12) would operate unacceptably in the PM peak hour under both Cumulative conditions and Cumulative with Modified Fire Station/Residential Alternative 4 Project conditions (with and without the Business Center Drive extension). The addition of Modified Fire Station/Residential Alternative 4 project trips to I-80 eastbound ramps/Pittman Road in the PM peak hour would exacerbate LOS E operations in the PM peak hour by increasing the average control delay at the intersection by more than 5.0 seconds. Therefore, a significant impact would occur at this intersection and the Modified Fire Station/Residential Alternative 4 project’s contribution would be cumulatively considerable.

Mitigation Measure C-TRANS-2: The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of I-80 eastbound ramps/Pittman Road:

- Restripe the eastbound approach to include one left turn lane and one left turn-through-right turn shared lane
- Improve the northbound Pittman Road intersection exit to accommodate two receiving lanes to serve the two lanes turning left on the restriped eastbound approach (improvement may conform to existing infrastructure prior to the I-80/Suisun Valley Road-Pittman Road overcrossing).

Finding for Cumulative Impact C-TRANS-1b: Since the intersection operates unacceptably under Cumulative (without Project) Conditions and meets the Peak Hour signal warrant under Cumulative (without Project) Conditions, the project applicant shall pay a fair share contribution towards the construction of a signal and other improvements at the intersection. Alternatively, improvements may be funded through payment into the City's Development Impact Fee (DIF) program. While improvements would mitigate the impact, the construction of the improvements would require substantial additional funding beyond the applicant's fair share contribution and coordination with the Solano Transportation Authority and Caltrans, and thus the impact is considered significant and unavoidable.

SECTION 6: FEASIBILITY OF PROJECT ALTERNATIVES

6.1 Project Alternatives

The Final EIR included four alternatives: the No Project/No Development Alternative, the No Project/Existing Zoning Alternative, the Reduced Residential Alternative, and the Residential/Fire Station Alternative. The City hereby concludes that the Final EIR sets forth a reasonable range of alternatives to the Green Valley II Mixed-Use Project so as to foster informed public participation and informed decision making. The City finds that the first three alternatives identified and described in the Final EIR were considered and further finds them to be infeasible for the specific economic, social, or other considerations set forth below pursuant to CEQA, Public Resources Code section 21081.

6.1.1 Objectives of the Proposed Project

The objectives of the project are to develop a well-designed, economically feasible residential community that consists of a variety of residential unit types and incorporates smart growth elements. The applicant's key objectives for the proposed project are to:

- Create a development of a scale and character that complements and is supportive of the surrounding uses; and
- Develop a well-designed, economically feasible residential community that consists of a variety of residential products and unit types.

6.1.2 No Project/No Development Alternative

Under the No Project/No Development alternative, the project site would not be redeveloped, and the existing conditions would continue. No grading or new construction would occur and the site would remain vacant.

The No Project/No Development alternative would not result in the significant unavoidable environmental impacts that would occur under the project. However, it also would not achieve any of the key objectives of the project, as described above and in subsection 2.1.

Finding: It is found pursuant to PRC Section 21081(a)(3), that specific economic, legal, social and technological, or other considerations, make the No Project/No Development Alternative infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the proposed project and rejects this alternative for any and all of the following reasons:

The No Project/No Development Alternative would not realize any of the Project Objectives because it would not develop a well-designed, economically feasible residential community that consists of a variety of residential products and unit types nor create a development of a scale and character that complements and is supportive of the surrounding uses. This alternative would not provide commercial and retail services within walking and biking distance of existing residential uses. In addition, it would not assist the City of Fairfield in achieving the 2014-2022 Housing Element goal of encouraging a high quality residential environment with a wide range of housing opportunities throughout the City to the same extent as the proposed project. As discussed in detail in Section 4.6.4.3, Impact LU-2, the land use designation for the project site are based on the Green Valley Corporate Park Master Plan, which was adopted more than 20 years ago. The demand for housing has increased over the last ten years given the shortage of housing in the region, and the Green Valley Corporate Park remains only partially developed.

6.1.3 No Project/Existing Zoning Alternative

Should the proposed project not be approved by the City, it would be reasonable to expect that the project site would be developed by another entity consistent with the site's existing specific plan land use and zoning designations, and available infrastructure. The project site is currently designated IBP

(Industrial Business Park) by the General Plan and Zoning Ordinance. The types of projects typically allowed under the IBP land use include administrative and professional offices, research and development parks, limited distribution facilities, light manufacturing, and assembly operations.

The No Project/Existing Zoning Alternative would increase the project's impacts related to transportation while decreasing the proposed project's impacts related to air quality, GHG emissions, land use, noise, public services, utilities and service systems, and energy. Impacts related to biological resources and cultural resources would be similar to those of the proposed project.

Finding: It is found pursuant to PRC Section 21081(a)(3), that specific economic, legal, social and technological, or other considerations, make the No Project/Existing Zoning Alternative infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the proposed project and rejects this alternative for any and all of the following reasons:

The No Project/Existing Zoning Alternative would not achieve any of the project objectives because it would not develop a well-designed, economically feasible residential community that consists of a variety of residential products and unit types nor create a development of a scale and character that complements and is supportive of the surrounding uses. In addition, it would not assist the City of Fairfield in achieving the 2014-2022 Housing Element goal of encouraging a high quality residential environment with a wide range of housing opportunities throughout the City. As discussed in detail in Section 4.6.4.3, Impact LU-2, the land use designation for the project site are based on the Green Valley Corporate Park Master Plan, which was adopted more than 20 years ago. The demand for housing has increased over the last ten years given the shortage of housing in the region, and the Green Valley Corporate Park remains only partially developed.

6.1.4 Reduced Residential

The Reduced Residential alternative would reduce the number of residential units on the project site by approximately 50 percent. Under this alternative a total of 135 residential units would be provided in four 2-story buildings on the residential portion of project site as opposed to a total of 270 residential units provided in four 4-story buildings under the proposed project.

The Reduced Density alternative would decrease the project's impacts related to air quality, GHG emissions, noise, public services, utilities and service systems, transportation, and energy. Impacts related to biological resources, cultural resources, and land use would be similar to those of the proposed project.

Finding: It is found pursuant to PRC Section 21081(a)(3), that specific economic, legal, social and technological, or other considerations, make the Reduced Residential Alternative infeasible. Therefore,

the City finds that this alternative is infeasible and less desirable than the proposed project and rejects this alternative for any and all of the following reasons:

This alternative would achieve many of the project objectives but it would not meet the objective of developing an economically feasible residential community. A key project objective is to “develop a well-designed, economically feasible residential community that consists of a variety of residential products and unit types.” The Reduced Density Alternative, with 135 units, does not offer the cost or operational efficiency that is required for a residential project to remain financially viable at this location in comparison to Proposed Project and Alternative 4 (Fire Station/Residential). The land and development costs for this site would weigh too heavily on a project of that size, unlike the 270 units with commercial uses for Proposed Project and 281 units with Fire Station for Alternative 4. The financial burden of the Reduced Density Alternative, with 135 units, would be further exacerbated if the City chooses the option of a fire station or other public use on the balance of the site. The fixed costs of professional property management once the project is built burdens the Project more heavily at half the unit count. Additionally, as explained in the Draft EIR, a 135-unit project would not assist the City of Fairfield in achieving the 2014-2022 Housing Element goal of encouraging a high quality residential environment with a wide range of housing opportunities throughout the City to the same extent as the proposed project. In passing legislation to address California’s severe housing shortage, the Legislature recognized that the State is “experiencing a housing supply crisis, with housing demand far outstripping supply. In 2018, California ranked 49th out of the 50 states in housing units per capita.” (Stats. 2019, ch. 654, § 2(a)(1) (“SB 330”).) SB 330 recognizes that the State needs “an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over the next 7 years.” (*Id.* at § 2(a)(4).) As such, approving the Reduced Density Alternative would be incompatible with a fundamental objective of the Project, and would be counter to the State’s goals of alleviating the current housing crisis.

6.1.5 Fire Station/Residential

The original Fire Station/Residential Alternative would replace the commercial component with a fire station. The residential component would be located on the remainder of the site and would consist of four 4-story buildings containing 365 units.

Through a deliberative planning process the City reviewed two fire station alternatives. When considering the original Alternative 4 Fire Station/Residential proposal, City staff determined that the fire station site location posed several challenges and did not meet the needs and standards of the City; as discussed in Section 5.6.3, Alternative 4: Fire Station/Residential, of the Final EIR. Therefore, a second location for the fire station was identified, Modified Fire Station/Residential Alternative 4.

The site plan for the Modified Fire Station/Residential Alternative 4 project is similar to the site plan for the original Alternative 4, with the key difference being the removal of one apartment building on the southwest corner of the site and a different on-site location of the proposed fire station. This revision also has fewer units, the unit total being 281 units.

The Modified Fire Station/Residential Alternative 4 project would increase the project's impacts related to air quality (criteria pollutants and operational emissions of ROG and NOX), noise, public services, and utilities and service systems, while decreasing the proposed project's impacts related to air quality (criteria pollutants and mobile emission of ROG and NOX), GHG emissions, transportation, and energy. Impacts related to biological resources, cultural resources, geology and soils, and land use would be similar to those of the proposed project. This alternative would achieve the project objective of developing a well-designed, economically feasible residential community that consists of a variety of residential products and unit types. Further, this alternative would provide a new fire station for the benefit of the greater City of Fairfield community. However, this alternative would not provide commercial and retail services within walking and biking distance of existing residential uses.

6.2 Environmentally Superior Alternative

The proposed project would result in a significant and unavoidable impact at the one identified intersection. The only alternative that would reduce the intersection impacts to below a level of insignificance is the No Project Alternative. Therefore, the Modified Fire Station/Residential Alternative 4 project is determined to be the environmentally superior alternative. As this alternative does not include a commercial component, it would reduce the project's significant and potentially significant impacts to the greatest extent. As such, Modified Fire Station/Residential Alternative 4 is the preferred alternative.

SECTION 7: STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable. CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record.

In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program, when implemented, avoid or substantially lessen virtually all of the significant effects identified in the

Draft and Final EIR. Nonetheless, one significant impact of the project is unavoidable even after incorporation of all feasible mitigation measures. The significant unavoidable impact is identified and discussed in Sections 5 of these Findings. The City further specifically finds that notwithstanding the disclosure of the significant unavoidable impact, there are specific overriding economic, legal, social, and other reasons for approving the Modified Fire Station/Residential Alternative 4 project. Those reasons are as follows:

- a. Implementation of the Modified Fire Station/Residential Alternative 4 project will result in the development of a new, well-designed, economically feasible residential community that consists of a variety of residential products and unit types.
- b. Implementation of the Modified Fire Station/Residential Alternative 4 project will result in the construction of a new fire station for the benefit of the greater City of Fairfield community.
- c. The streetscape improvements will contribute to improved pedestrian safety in the area around the project site.
- d. The addition of 281 residential units to the City of Fairfield will improve the City's jobs/housing balance, providing workforce housing in close proximity to jobs. s.¹
- e. The Modified Fire Station/Residential Alternative 4 project promotes the policies of local plans, which include the City of Fairfield 2014-2022 Housing Element, as well as the following City of Fairfield General Plan objectives and policies:
 - Objective HO 1: Provide for varied housing opportunities, in terms of type, price, amenities, neighborhood design, and location, for all income groups and family types.
 - Policy HO 1.1: Encourage multifamily housing at appropriate locations and densities, focusing where possible such new housing near employment, transportation, services, and recreational amenities.
 - Objective HO 2: Encourage infill housing in developed areas of the City.

¹ The City's 2040 projections are roughly on target for a job-housing balance equal to the Bay Area's job-housing balance. Total Households for All 9 Bay Area Counties: 3,426,705, Total Jobs for All 9 Bay Area Counties: 4,698,375, Total Households for Fairfield: 40,205, Total Jobs for Fairfield: 50,035

- Objective LU 8: Develop and maintain a pattern of residential land uses which provides for a variety and balance of densities and opportunities for a mixture of different dwelling and tenure types.
- Objective LU 11: Provide multi-family ownership and rental units in a variety of cost ranges dispersed throughout the City.
- Policy LU 11.1: Encourage the development of a wide variety of higher density multi-family residential uses.
- Policy LU 13.3: Proposed land uses shall be consistent with the land use compatibility criteria, maps, and policies of the Travis Air Force Base Land Use Compatibility Plan and the Land Use Compatibility Plan for the Travis Aero Club incorporated into this General Plan.
- Objective LU 18: Encourage infill development and compact growth.
- Program LU 18.2A: Amend the Zoning Ordinance to facilitate development of projects with higher densities and increased number and quality of pedestrian and transit-oriented amenities.
- Objective PF 2: New development shall pay such fees and taxes as necessary to meet all identified costs associated with that development.
- Policy PF 2.1: New development shall be responsible for the public costs attached to each development project, which include, but are not limited to, the acquisition of permanent open space, the provision of adequate school facilities, and the provision of streets, street lighting, sidewalks, landscaping, storm drains, and other infrastructure needs.
- Policy PF 2.2: New development shall be responsible for paying a financial contribution to mitigate the effect of the development on the provision of such public services as police and fire protection, public education, water, and sewer.
- Policy PF 2.3: Construction permits shall not be granted until the developer provides for the installation and/or financing of needed public facilities
- Policy UD 3.3: Require new development to respect the scale and character of nearby structures and minimize or mitigate abrupt and excessive differences.
- Objective UD 4: Ensure high standards of quality in development.

- Policy UD 6.1: Preserve existing significant trees and extensively plant new trees where appropriate

On balance, the City finds that there are specific considerations associated with the Modified Fire Station/Residential Alternative 4 project that serve to override and outweigh the Modified Fire Station/Residential Alternative 4 project's significant unavoidable effects. Therefore, pursuant to CEQA Guidelines Section 15093(b), the adverse effects of the Modified Fire Station/Residential Alternative 4 project are considered acceptable.

SECTION 8: GENERAL FINDINGS

1. The City, acting through the Community Development Department Planning Division, is the "Lead Agency" for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.
2. The EIR evaluated the following potential project and cumulative environmental impacts: air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services, transportation and traffic, utilities and service systems, energy, alternatives, and other CEQA considerations. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the project and the Modified Fire Station/Residential Alternative 4, as well as other alternatives were identified in the EIR.
3. The City finds that the EIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the project and the Modified Fire Station/Residential Alternative 4. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.
4. The Community Development Department Planning Division evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Planning Division prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and

reasoned responses to the comments. The Community Development Department Planning Division reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

5. The Final EIR documents changes to the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR, and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:
 - a. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project and/or the Modified Fire Station/Residential Alternative 4 would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project and/or the Modified Fire Station/Residential Alternative 4 would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
 - b. The City has thoroughly reviewed the public comments received regarding the project and Modified Fire Station/Residential Alternative 4 and the Final EIR as it relates to the project and Modified Fire Station/Residential Alternative 4 to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.
 - c. None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the project and Modified Fire Station/Residential Alternative 4, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony

to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

- d. The mitigation measures identified for the project and the Modified Fire Station/Residential Alternative 4 were included in the Draft EIR and Final EIR. As revised, the final mitigation measures for the project and Modified Fire Station/Residential Alternative 4 are described in the Mitigation Monitoring and Reporting Program (MMRP). Each of the mitigation measures identified in the MMRP is incorporated into the project and Modified Fire Station/Residential Alternative 4. The City finds that the impacts of the project and Modified Fire Station/Residential Alternative 4 have been mitigated to the extent feasible by the mitigation measures identified in the MMRP.
6. CEQA requires the Lead Agency approving a project to adopt a MMRP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMRP as adopted by the City serve that function. The MMRP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the Modified Fire Station/Residential Alternative 4 and has been designed to ensure compliance with such measures during implementation of the Modified Fire Station/Residential Alternative 4. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts the MMRP.
7. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Modified Fire Station/Residential Alternative 4.
8. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based is the City of Fairfield, Community Development Department Planning Division.
9. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

10. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Modified Fire Station/Residential Alternative 4 project.

11. The EIR is a project EIR for purposes of environmental analysis of the Modified Fire Station/Residential Alternative 4. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.

EXHIBIT C

CITY OF FAIRFIELD

D R A F T

ORDINANCE NO. 2019-_____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD AMENDING CHAPTER 25, ARTICLE I, SECTION 25.12.3 OF THE FAIRFIELD CITY CODE, ALSO KNOWN AS THE CITY OF FAIRFIELD ZONING MAP, REZONING PARCELS ON BUSINESS CENTER DRIVE FROM IBP (INDUSTRIAL BUSINESS PARK) TO RVH (RESIDENTIAL VERY HIGH) AND PF (PUBLIC FACILITY) (APNs: 0148-540-300 and 0148-540-210)

THE CITY COUNCIL OF THE CITY OF FAIRFIELD DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 25, Article I, Section 25.12.3 of the Fairfield City Code, also known as the City of Fairfield Zoning Map, is hereby amended as shown on Sectional Zoning Map (ZC2018-002) attached hereto.

Section 25.47.5 Findings. The City Council finds as follows:

- (a) A. The proposed Zoning Map Amendment is consistent with the goals, policies and actions of the General Plan. *The proposed Zoning Map Amendment requires a General Plan Amendment. The associated proposed development of a 281-unit apartment project is within the 22 to 32 dwelling units per acre density range of the Very High Residential Zoning Ordinance designation for the site. Furthermore, the Project is consistent with several General Plan Objectives and Policies, such as Objective HO 1: Provide for varied housing opportunities, in terms of type, price, amenities, neighborhood design, and location, for all income groups and family types. Policy HO 1.1: Encourage multifamily housing at appropriate locations and densities, focusing where possible such new housing near employment, transportation, services, and recreational amenities. Objective HO 2: Encourage infill housing in developed areas of the City. Objective HS 4: Protect people and property by minimizing levels of fire danger. Policy HS 4.5: Ensure the ability to provide fire protection within areas of new development. Objective LU 8: Develop and maintain a pattern of residential land uses which provides for a variety and balance of densities and opportunities for a mixture of different dwelling and tenure types. Objective LU 11: Provide multi-family ownership and rental units in a variety of cost ranges dispersed throughout the City. Policy LU 11.1: Encourage the development of a wide variety of higher density multi-family residential uses. Policy LU 13.3: Proposed land uses shall be consistent with the land use compatibility criteria, maps, and policies of the Travis Air Force Base Land Use Compatibility Plan and the Land Use Compatibility Plan for the Travis Aero Club incorporated into this General Plan. Objective LU 18:*

Encourage infill development and compact growth. Program LU 18.2A: Amend the Zoning Ordinance to facilitate development of projects with higher densities and increased number and quality of pedestrian and transit-oriented amenities. Objective PF 2: New development shall pay such fees and taxes as necessary to meet all identified costs associated with that development. Policy PF 2.1: New development shall be responsible for the public costs attached to each development project, which include, but are not limited to, the acquisition of permanent open space, the provision of adequate school facilities, and the provision of streets, street lighting, sidewalks, landscaping, storm drains, and other infrastructure needs. Policy PF 2.2: New development shall be responsible for paying a financial contribution to mitigate the effect of the development on the provision of such public services as police and fire protection, public education, water, and sewer. Policy PF 2.3: Construction permits shall not be granted until the developer provides for the installation and/or financing of needed public facilities. Objective PF 15: Ensure adequate fire protection. Policy PF 15.1: Provide enough staffing and fire stations to ensure that at least 80 percent of the residential dwelling units in any response area are located within five minutes maximum travel time of a station. Where the number of dwelling units within five minutes travel time of any response area falls below 80 percent, the City shall take the appropriate steps (e.g., construct a new fire station) to ensure that the above standard is maintained. In addition, fire stations shall be located to ensure that all target hazards are within five minutes travel time from a fire station where feasible. Policy UD 3.3: Require new development to respect the scale and character of nearby structures and minimize or mitigate abrupt and excessive differences. Objective UD 4: Ensure high standards of quality in development. Policy UD 6.1: Preserve existing significant trees and extensively plant new trees where appropriate

- (b) *The proposed Zoning Map Amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The public facility component of the Project will promote the health, safety, and welfare of the City through the development of a future fire station. All necessary utilities and services such as water, sewer, and power are provided to serve the site. Additionally, the apartment component of the Project will be developed to specific Zoning Ordinance standards and conditions to ensure that the architectural design, site improvements, and landscaping are compatible with surrounding developments. The apartment buildings have been architecturally designed to integrate into the business park setting cohesively. Together, the design features and Project conditions will ensure that the Project will not cause the area to economically, physically, or visually decline.*

- (c) C. The site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments. *The site is physically suitable for the proposed Project. As designed and conditioned the Project consists of all necessary utilities and services such as water, sewer, and power. The proposed apartment complex and public facility site are appropriate near existing residential, industrial, and commercial uses within the vicinity.*
- (a) D. The proposed Zoning Map Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA). *The proposed Project complies with the California Environmental Quality Act (CEQA). The Environmental Impact Report (ER2018-04, Exhibit A) properly identifies and mitigates potentially significant project impacts related to air quality, biological resources, cultural and tribal resources, noise, and transportation. The Environmental Impact Report provides findings for a Statement of Overriding Considerations for two significant and unavoidable transportation impacts.*
- (d)

SECTION 2. This ordinance shall be effective 30 days following its adoption by the City Council. A summary of this ordinance shall, within fifteen (15) days after passage, be published in accordance with Section 36933 of the Government Code of the State of California with the names of the City Councilmembers voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Fairfield on the _____ day of _____, 2019; and

PASSED AND ADOPTED this _____ day of _____, 2019, by the following vote:

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSENT: Councilmembers: _____

ABSTAIN: Councilmembers: _____

MAYOR

ATTEST:

CITY CLERK

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Draft Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Environmental Impact Report (EIR) prepared for the Green Valley II Mixed-use project. The MMRP, which is found in **Table 4.0-1** of this section, lists mitigation measures recommended in the EIR for the proposed project and identifies mitigation monitoring requirements. The Final MMRP must be adopted when the City Council makes a final decision on the project.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Mitigation Responsibility," refers to the party responsible for implementing the mitigation measure. The third column, entitled "Monitoring/Reporting Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Schedule," refers to when monitoring will occur to ensure that the mitigating action is completed. Please note that these mitigation measures include any revisions made as a result of the Response to Comments Document.

Table 4.0-1
Draft Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>Air Quality</p> <p>MR-1: The following BMPs shall be included in the construction documents, and the construction contractor(s) shall implement them during project construction, which shall be monitored by the City of Fairfield:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible after grading, unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • A publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted at the project site. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. <p>MR-3: The construction contractor(s) shall implement the following mitigation measures during project construction, which shall be verified by the City of Fairfield:</p> <ul style="list-style-type: none"> • All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. • All diesel-powered portable equipment (i.e., air compressors, concrete saws, and forklifts) operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. <p>MR-4: The project applicant shall require the implementation of the following BAAQMD-recommended management practices and odor technology during project operation, should a restaurant occupy one of the commercial spaces available at the proposed project. The BAAQMD recommends that mitigation for restaurant odors be selected on a case-by-case basis in consultation with the BAAQMD. The BAAQMD, the City of Fairfield and the Solano County Environmental Health Services Division, shall verify that potential restaurant odor sources are properly mitigated using the measures listed below. The following practices and technology are recommended by the BAAQMD:</p> <ul style="list-style-type: none"> • Integral grease filtration system or grease removal system • Baffle filters • Electrostatic precipitator • Water cooling/cleaning unit • Disposable pleated or bag filters • Activated carbon filters • Oxidizing pellet beds • Incineration • Catalytic conversion • Proper packaging and frequency of food waste disposal • Exhaust stack and vent location with respect to receptors <p>Biological Resources</p> <p>BI0-1: A pre-construction special-status plant survey shall be conducted by a qualified biologist during the blooming period of the papoose tarplant, ideally during the summer months. If no plants are found, then no further action is required. If this species is observed on the project site, then appropriate avoidance and minimization and/or mitigation measures shall be implemented, dependent upon the results of the survey, which could include one or more of the following:</p> <ol style="list-style-type: none"> 1) Avoiding areas where the plants occur. The avoidance area will consist of the locations of the plants and a 15-foot buffer around each plant. During project implementation, the avoidance area may be delineated by the use of orange construction fencing and/or silt fencing. Following completion of the project, the avoidance area will be delineated by permanent fencing. 	<p>Construction Contractor</p>	<p>City of Fairfield, Department of Public Works</p>	<p>During demolition, grading, and construction</p>
<p>MR-3: The construction contractor(s) shall implement the following mitigation measures during project construction, which shall be verified by the City of Fairfield:</p> <ul style="list-style-type: none"> • All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. • All diesel-powered portable equipment (i.e., air compressors, concrete saws, and forklifts) operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. <p>MR-4: The project applicant shall require the implementation of the following BAAQMD-recommended management practices and odor technology during project operation, should a restaurant occupy one of the commercial spaces available at the proposed project. The BAAQMD recommends that mitigation for restaurant odors be selected on a case-by-case basis in consultation with the BAAQMD. The BAAQMD, the City of Fairfield and the Solano County Environmental Health Services Division, shall verify that potential restaurant odor sources are properly mitigated using the measures listed below. The following practices and technology are recommended by the BAAQMD:</p> <ul style="list-style-type: none"> • Integral grease filtration system or grease removal system • Baffle filters • Electrostatic precipitator • Water cooling/cleaning unit • Disposable pleated or bag filters • Activated carbon filters • Oxidizing pellet beds • Incineration • Catalytic conversion • Proper packaging and frequency of food waste disposal • Exhaust stack and vent location with respect to receptors <p>Biological Resources</p> <p>BI0-1: A pre-construction special-status plant survey shall be conducted by a qualified biologist during the blooming period of the papoose tarplant, ideally during the summer months. If no plants are found, then no further action is required. If this species is observed on the project site, then appropriate avoidance and minimization and/or mitigation measures shall be implemented, dependent upon the results of the survey, which could include one or more of the following:</p> <ol style="list-style-type: none"> 1) Avoiding areas where the plants occur. The avoidance area will consist of the locations of the plants and a 15-foot buffer around each plant. During project implementation, the avoidance area may be delineated by the use of orange construction fencing and/or silt fencing. Following completion of the project, the avoidance area will be delineated by permanent fencing. 	<p>Construction Contractor</p>	<p>City of Fairfield, Department of Public Works</p>	<p>During demolition, grading, and construction</p>
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Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>2) Preserving land where the species is known to exist.</p> <p>3) Collecting mature seeds of the species on-site and establishing a similar sized population at a different suitable location. The new, CDFW-approved location will be monitored for five (5) years to ensure that pupae transplant has established. Specific monitoring conditions will be followed according to regulatory permits.</p>			
<p>BIO-2: The removal of trees and shrubby on-site, as well as initial ground disturbance, shall be conducted between September 16 and January 31 (outside of the February 1 to September 15 nesting season) to the extent feasible, which would avoid impacts to nesting birds, including Swainson's hawk.</p> <p>If such activities must be conducted during the nesting season, a pre-disturbance nesting-bird survey shall be conducted by a qualified biologist approved by CDFW no more than seven (7) days prior to vegetation removal or initial ground disturbance, and anytime a lapse of seven (7) days or more in construction occurs. The survey shall include the disturbance area and surrounding 500 feet (and 1,320 feet for Swainson's hawk) to identify the location and status of any active nests that could potentially be affected either directly or indirectly by project activities. The surveys shall be conducted by a qualified biologist with a minimum of two years of experience implementing Swainson's hawk technical advisory survey methodologies.</p> <p>If active nests of protected species are found within the survey area, a work exclusion zone shall be established around each nest and monitored and adjusted as necessary by the qualified biologist. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes shall be determined by a qualified biologist and vary dependent upon the species, nest location, existing visual buffers, noise levels, and other factors. An exclusion zone radius may be as small as 50 feet for common, disturbance-adapted species or as large as 500 feet or more for raptors. Exclusion zone size may be reduced from established levels if nest monitoring by a qualified biologist indicates that work activities outside the reduced radius are not adversely impacting the nest and that a reduced exclusion zone would not adversely affect the subject nest in consultation with CDFW.</p>	<p>Project Applicant & Construction Contractor</p>	<p>City of Fairfield, Community Development Department</p>	<p>Prior to construction</p>
<p>BIO-6: The following tree protection measures shall be implemented during construction in the vicinity of the valley oak tree:</p> <ul style="list-style-type: none"> All construction activity (grading, filling, paving, landscaping etc.) shall respect the root protection zone (RPZ) around the protected tree. The RPZ shall be a distance of 1.0 times the dripline radius measured from the trunk of the tree. Temporary protective fencing shall be installed around the dripline of the tree prior to commencement of any construction activity conducted within 25 feet of the tree canopy. The fence shall be clearly marked to prevent inadvertent encroachment by heavy machinery. Drainage shall not be allowed to pond around the base of the tree. An ISA-Certified Arborist or tree specialist shall be retained to perform any necessary pruning of the tree during construction activity. Roots exposed as a result of construction activities shall be covered with wet burlap to avoid desiccation and shall be buried as soon as practicable. Construction materials or heavy equipment shall not be stored within the RPZ. Only an ISA-Certified Arborist or tree specialist should make specific recommendations as to where the tree can safely tolerate some level of fill within the drip line. Trenches which are required within the RPZ of the protected tree shall be bored (tunneled) under the root(s) using an auger or drill, rather than trenched, to avoid root disturbance. Construction materials shall be properly stored away from the tree to avoid spillage or damage to the tree. 	<p>Construction Contractor</p>	<p>City of Fairfield, Community Development Department</p>	<p>During demolition, grading, and construction</p>
<p>Cultural Resources</p> <p>CUI-2: Due to the high likelihood of archeological resources on the project site, the City of Fairfield shall require a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials. Construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic archeological and cultural sensitivity training conducted by a qualified archeologist and in consultation with the Yocha Dehe Wintun Nation. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archeological deposits and tribal cultural resources, further described in CUI-3. Training will include written modification of the restrictions regarding disturbance and/or removal of any portion of archeological deposits and the proper procedures to follow should a resource be identified. The project applicant shall inform the Yocha Dehe Wintun Nation of the project construction schedule and allow for a Yocha Dehe Wintun Nation tribal monitor to be present at the project site during any ground disturbance activities in native soil, to ensure such activities do not negatively impact cultural resources. The tribal monitor will also be provided an opportunity to attend the pre-construction briefing. The construction contractor, or its designee, shall be responsible for implementation of this measure.</p>	<p>Construction Contractor</p>	<p>City of Fairfield, Community Development Department</p>	<p>Prior to construction as well as during ground disturbing construction</p>
<p>CUI-3: If archeological remains or tribal cultural resources are uncovered, all construction activities within a 100-foot radius shall be halted immediately until a qualified archeologist, in consultation with the tribal monitor, can evaluate whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered archeological resources are found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archeologist. Prehistoric archeological site indicators include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire-affected stones. Historic period site indicators generally include but are not limited to: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps). If the resource is determined to be significant under CEQA, the City and a qualified archeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archeologist shall prepare and implement a research design and archeological data recovery plan for the resource. The archeologist shall also conduct appropriate technical analyses; prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System (CHRIS)), and provide for the permanent curation of the recovered materials. For any tribal cultural resources found during the ground disturbance activities, the Yocha Dehe Wintun Nation shall be immediately notified, and the appropriate treatment method for the uncovered resources shall be determined by the City and archeologist in consultation with the Yocha Dehe Wintun</p>	<p>Project Applicant, Construction Contractor</p>	<p>City of Fairfield, Community Development Department</p>	<p>During demolition, grading, and construction</p>

Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>Nation and its Yocha Dehe Treatment Protocol.</p> <p>CUI-4: The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the Solano County Coroner and the City of Fairfield of the discovery of any human remains.</p> <p>In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.</p> <p>The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that "... the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."</p>	<p>Construction Contractor, City of Fairfield</p>	<p>City of Fairfield, Community Development Department</p>	<p>During demolition, grading, and construction</p>
<p>Geology and Soils</p> <p>GE0-7: During construction, approximately 12 to 18 inches of imported, compactable, very low-expansive (Expansion Index ≤ 20) granular soils shall be placed beneath interior and exterior concrete slabs-on-grade, including PT slabs, sidewalks, and pool deck slabs. Alternatively, chemical amendment of on-site or approved imported clay soils (i.e., lime-treatment) may also be considered to reduce the shrinking and swelling potential of on-site or imported clays.</p>	<p>Construction Contractor</p>	<p>City of Fairfield, Community Development Department</p>	<p>During construction</p>
<p>Noise</p> <p>NOI-1: The construction contractor shall ensure that noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling), shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. These activities shall be located in the southeast quadrant of the project site, as feasible.</p> <p>NOI-2: The construction contractor shall ensure that barriers such as plywood structures or flexible sound control curtains shall be erected between the proposed project and adjacent sensitive receptors to minimize the amount of noise during construction. These temporary sound barriers shall be capable of achieving a sound attenuation of at least 12 dBA and block the line-of-sight between the project site and these adjacent land uses. This specification shall be included on all project plans.</p> <p>NOI-3: The construction contractor shall ensure the use of power construction equipment with state-of-the-art noise shielding and muffling devices capable of attenuating sound by 3 dBA or more. This specification shall be included on all project plans.</p> <p>NOI-4: The construction staging area shall be as far from sensitive receptors as possible. Staging shall occur in the southeast quadrant of the project site, as feasible.</p> <p>NOI-5: The construction contractor shall ensure that no less than two weeks prior to commencement of construction, notification shall be provided to the off-site residential, school, and church uses within 500 feet of the project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period. Contact information shall also be posted where readily visible to the public.</p>	<p>Construction Contractor</p> <p>Construction Contractor</p> <p>Construction Contractor</p> <p>Construction Contractor</p> <p>Construction Contractor</p>	<p>City of Fairfield, Community Development Department/Department of Public Works</p> <p>City of Fairfield, Community Development Department/Department of Public Works</p> <p>City of Fairfield, Community Development Department/Department of Public Works</p> <p>City of Fairfield, Community Development Department/Department of Public Works</p> <p>City of Fairfield, Community Development Department/Department of Public Works</p>	<p>During demolition, grading, and construction</p> <p>During demolition, grading, and construction</p> <p>During demolition, grading, and construction</p> <p>During demolition, grading, and construction</p> <p>Prior to construction</p>
<p>Transportation and Traffic</p> <p>TRANS-1a: The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of Lopes Road/Bridgeport Avenue:</p> <ul style="list-style-type: none"> • Signalize the Lopes Road/Bridgeport Avenue/Cordelia Road intersection complex, including: <ul style="list-style-type: none"> - Split phases for all approaches at Lopes Road/Cordelia Road - Split phases for all approaches at Lopes Road/Bridgeport Avenue - Clustered intersection phasing with overlaps provided for movements crossing the railroad tracks. • Modify southbound approach at Lopes Road/Bridgeport Avenue to include one through lane and one southbound left turn lane • Modify northbound approach at Lopes Road/Bridgeport Avenue to include one through lane and one through-right turn shared lane • Install four-quadrant railroad crossing gates to prevent motorists from entering the conflict area when a train preemption event occurs <p>Alternatively, improvements listed above may be funded through payment into the City's Development Impact Fee (DIF) program if the improvements are part of an identified project in the DIF.</p>	<p>Project Applicant</p>	<p>City of Fairfield, Department of Public Works</p>	<p>Prior to issuance of a building permit</p>
<p>TRANS-1b: The project shall install a crosswalk connecting the existing curb ramp at the southwest corner of Business Center Drive/Westamerica Drive-Center Driveway to the proposed curb ramp at the southeast corner of Business Center Drive/Westamerica Drive-Center Driveway. The project shall install pedestrian signal heads for this crossing and retime the signal at this location to account for the pedestrian signal phase at this location.</p>	<p>Project Applicant</p>	<p>City of Fairfield, Department of Public Works</p>	<p>During construction</p>

Mitigation Measures	Mitigation Responsibility	Monitoring/Reporting Agency	Monitoring Schedule
<p>TRANS-1c: I-80 westbound ramps-Netzel Road/Suisun Valley Road is an all-way stop-controlled intersection that operates unacceptably in the PM peak hour under both EPAP Conditions and EPAP with Project conditions. The intersection meets the Peak Hour Signal Warrant under EPAP Conditions for the PM peak hour.</p> <p>The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of I-80 westbound ramps-Netzel Road/Suisun Valley Road:</p> <ul style="list-style-type: none"> • Signalize the intersection, including: <ul style="list-style-type: none"> – Northbound and southbound protected left turn phases – Eastbound and westbound split phases • Modify southbound right turn movement to remove the high-speed channelizer island and install a standard right turn pocket <p>Alternatively, improvements listed above may be funded through payment into the City's Development Impact Fee (DIF) program if the improvements are part of an identified project in the DIF.</p>	<p>Project Applicant</p>	<p>City of Fairfield, Department of Public Works</p>	<p>Prior to issuance of a building permit</p>
<p>C-TRANS-1: The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of Business Center Drive/Suisun Valley Road:</p> <ul style="list-style-type: none"> • Restripe the eastbound approach to include two left turn lanes, two through lanes, and one right-turn only lane. • Add a right turn overlap phase for the eastbound right turn movement 	<p>Project Applicant</p>	<p>City of Fairfield, Department of Public Works</p>	<p>Prior to issuance of a building permit</p>
<p>C-TRANS-2: The project applicant shall pay a fair share contribution to be included as part of the Development Review Conditions of Approval to fund construction of the following improvements at the intersection of I-80 eastbound ramps/Pittman Road:</p> <ul style="list-style-type: none"> • Restripe the eastbound approach to include one left turn lane and one left turn-through-right turn shared lane • Improve the northbound Pittman Road intersection exit to accommodate two receiving lanes to serve the two lanes turning left on the restriped eastbound approach (improvement may conform to existing infrastructure prior to the I-80/Suisun Valley Road-Pittman Road overcrossing). 	<p>Project Applicant</p>	<p>City of Fairfield, Department of Public Works</p>	<p>Prior to issuance of a building permit</p>



**SOLANO IRRIGATION DISTRICT
RESOLUTION NO. 20-23**

**A RESOLUTION OF APPLICATION BY THE
SOLANO IRRIGATION DISTRICT
REQUESTING THE SOLANO LOCAL AGENCY FORMATION COMMISSION
TO INITIATE PROCEEDINGS FOR THE REORGANIZATION OF TERRITORY
FOR THE DETACHMENT OF THE
GREEN VALLEY APARTMENTS PROPERTY
DETACHMENT NO. 2020-314, FAIRFIELD**

At a regular meeting of the Board of Directors of Solano Irrigation District held at the District Office on the 17th day of November, 2020, the following resolution was approved and adopted:

WHEREAS, the Solano Irrigation District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Act of 2000, commencing with Section 56000 of the California Government Code, for a reorganization which would detach territory from the Solano Irrigation District; and,

WHEREAS, the principal reasons for the proposed reorganization is to detach the Green Valley Apartments property (APN 0148-540-370, totaling 9.61± Acres) from the District; and,

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
Solano Irrigation District	Detachment

and,

WHEREAS, the territory proposed to be reorganized both habited and inhabited, and a map and description of the boundaries of the territory are attached hereto as Exhibit "A" and Exhibit "B" by this reference incorporated herein; and,

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

- The cost to detach from the District has been paid by the landowner/developer of this development as follows:

Part 1: SID Fee Debt Portion (formerly Detachment Fee)	\$ 5,371.61
Part 2: Maintenance Detachment Fee	5,577.64
Part 3: Agency Fees	
SID Engineering & Processing Fee	5,720.75 *
Agency Fees	
LAFCO Filing Fee	\$ 10,000.00
State Board of Equalization	500.00
Solano County Mapping	109.00
County of Solano	50.00
	10,659.00
Part 4: <u>Special SID-Fairfield Agreement Detachment Fee</u>	<u>114,206.79</u>
Estimated Cost of Detachment Fees:	\$141,535.79 *

* SID Engineering and Processing Fee is Estimated Only. Owner to pay Actual Charges.

Resolution No. 20-23: Reorganization of Territory, Green Valley Apartments property, Detachment No. 2020-311

- 2. The parcels and roadways whose boundaries and centerlines define the boundary of the territory being annexed shall be recorded as described and shown in Exhibits "A" and "B" so as to ensure that the District's boundary line coincides with recorded boundaries; and,

WHEREAS, this proposal is consistent with the adopted spheres of influence for the agencies subject to this reorganization; and,

WHEREAS, the Green Valley Apartments property was annexed to the City of Fairfield in 1978. There was a Mitigated Negative Declaration prepared and approved for this development, which complied with the requirements of the California Environmental Quality Act (CEQA), and as such, no further action is required under CEQA; and,

WHEREAS, this Board of Directors certifies that the Solano Irrigation District initiated the Green Valley Apartments property detachment from the District, and that the subject detachment is a ministerial act required by the regulations of the United States Bureau of Reclamation and the policies of the District, and as such, the District will file a Notice of Exemption identifying the detachment as a Ministerial act, and no further action is required under CEQA.

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the Board of Directors of the Solano Irrigation District, and the Solano Local Agency Formation Commission is hereby requested to take proceedings for the detachment of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

PASSED AND ADOPTED the 17th day of November, 2020, by the Board of Directors of the Solano Irrigation District, County of Solano, State of California, by the following vote:

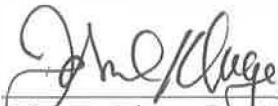
AYES: Lum, Sanchez, Barrett, Porter, Kluge

NOES: None

ABSTAIN: None

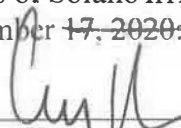
ABSENT: None

DATED: November 17, 2020



 John D. Kluge, President of the Board of Directors
 Solano Irrigation District

ATTEST: I hereby certify that the foregoing Resolution was duly made, seconded and adopted by the Board of Directors of Solano Irrigation District at a regular meeting of this Board held November 17, 2020:



 Cary Keaten, General Manager
 Solano Irrigation District