

## **State Law and LAFCo Policies do not support approval of the SOI**

### **State LAFCo law (Government Code Sections cited)**

1. LAFCo is charged with discouraging urban sprawl, preserving open space and prime agricultural land

§ 56001- LAFCo charged with balancing development with sometimes competing state interest of discouraging urban sprawl, preserving open space and prime agricultural land and efficiently extending government services.

§ 56301- among purposes of LAFCo are discouraging urban sprawl and preserving open space and prime agricultural lands

§ 56377(a) – direct development away from existing prime agricultural land

§ 56377(b) – development of existing vacant or nonprime agricultural land within the existing jurisdiction of local agency should be encouraged before any proposal is approved which would allow or lead to development of open space lands for non-open space uses which is outside of existing SOI or existing jurisdiction of local land use agency.

### **Sacramento LAFCo Policies**

#### III CEQA Policies (p. III-1)

5.a – project approval is a discretionary decision

5.d. – LAFCo can deny because of unacceptable environmental impacts

#### IV. General Standards.

##### C. Boundaries (p. IV-3)

3. LAFCo will not approve applications with boundaries (b) which result in corridors or peninsulas of incorporated territory or further the distortion of existing boundaries or (c) are drawn for exclusive purpose of encompassing revenue-producing territories

##### E. Agricultural land conservation

1. LAFCo will approve a change of organization which would convert prime farmland in open space use to other uses only if LAFCo finds that it will lead to planned, orderly, and efficient development of an area, and only if the following criteria are met:

c. development of all or substantial portion likely to occur within 5 years

d. insufficient vacant non-prime land within the existing SOI that are planned, accessible and developable for same general type of use.

e. proposal will have no significant adverse effect on physical and economic integrity of other agricultural lands. In making this determination, LAFCo will consider the following:

(1) ag significance of subject and adjacent areas relative to other ag lands in the region

(2) use of subject and adjacent areas

(5) applicable provisions of GP open space and land use elements, growth management policies, or other statutory provisions designed to protect agriculture

2. LAFCo will not make affirmative findings that insufficient nonprime vacant land exists within existing SOI unless the jurisdiction has adopted specific measures to facilitate and encourage infill development as an alternative to development of agricultural lands.

## V. Specific Standards by Type of Action

### I. Amendments to SOI

5. (p. V-11) An applicant for amendment to SOI must demonstrate a projected need or lack of need for service.

6. Amendment proposals involving SOI expansion which contains prime farmland will not be approved if there is sufficient alternative land available for annexation within the existing SOI

9. (p. V-12) LAFCo will deny proposals that would results in significant unmitigable adverse effects upon other service recipients or other agencies serving the affected area, unless the approval is conditioned to avoid such impacts