

**LOCAL AGENCY FORMATION COMMISSION**

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KATE McKENNA, AICP  
**Executive Officer**

**DATE:** August 26, 2013  
**TO:** Chair and Members of the Formation Commission  
**FROM:** Kate McKenna, AICP, Executive Officer  
**SUBJECT:** **“YANKS AIR MUSEUM REORGANIZATION” INVOLVING AN UPDATE TO THE SPHERE OF INFLUENCE OF THE CITY OF GREENFIELD, THE ANNEXATION OF APPROXIMATELY 134.7 ACRES TO THE CITY, AND THE DETACHMENT OF THE AFFECTED AREA FROM THE RESOURCE CONSERVATION DISTRICT OF MONTEREY COUNTY. (LAFCO File No. 13-03)**

**SUMMARY OF RECOMMENDATIONS:**

It is recommended that the Commission conduct a public hearing and adopt a resolution (Attachment 2) to:

1. Consider the Yanks Final Environmental Impact Report (EIR) and subsequent addenda (Attachment 3);
2. Approve expansion of the City of Greenfield’s current Sphere of Influence by approximately 47 acres;
3. Approve annexation of approximately 134.7 acres to the City, and detachment of this area from the Resource Conservation District of Monterey County, and
4. Waive Conducting Authority (“protest”) proceedings.

**EXECUTIVE OFFICER’S REPORT:**

**Overview**

The County of Monterey and the City of Greenfield have worked with the Nichols family for approximately 20 years to develop a World War II and "Golden Era" aircraft museum and related commercial services along the City’s northern boundary. The development proposal includes an aircraft museum building, aircraft storage hangars, privately owned airstrip, winery building, gas station, hotel, restaurants, retail space, amphitheater, recreational vehicle park, and other related commercial services. Please refer to the attached location map and conceptual site plan (Attachment 1) for an overview of the development proposal.

In 1997, the County of Monterey approved development entitlements for the project. Since that time, the County has approved several permit extensions and a Lot Line Adjustment to accommodate a reconfigured site layout. "Phase One" of the project, the recreational vehicle park, is under construction with County permits in a southern portion of the site. The remainder of the site continues to be farmed. The approved project includes placement of 306 acres into a permanent agricultural easement granted to the nonprofit Ag Land Trust, and recordation of a 200-foot-wide agricultural buffer easement, granted to the County, along the northern and eastern portions of the site. These easements have been finalized and effectuated.

LAFCO has taken two previous actions to facilitate development of the project. In 2000, LAFCO expanded the City's Sphere of Influence to include the proposed Yanks development site. In 2002, LAFCO approved the City's request to extend municipal utilities to the site.

The proposal currently before LAFCO would expand Greenfield's existing Sphere of Influence by approximately 47 acres to include the project's 200-foot-wide agricultural buffer area, and would annex the entire site into the City in one LAFCO action. At one time, the City and County contemplated a phased, multi-year annexation process with each of six project phases being individually annexed into the City after being developed under County jurisdiction. The current, single-annexation approach will support earlier project build-out, implementation of a City-County tax sharing agreement and conditions of project approval, and efficient delivery of government services.

The City and the County jointly support the proposed action. The proposal is consistent with a 2008 Memorandum of Understanding (and subsequent amendments) between the City and County in support of developing the Yanks project. The proposal is also consistent with the City-County Memorandum of Agreement pertaining to the broader issues of Greenfield's future growth, which was approved by LAFCO in June 2013 following City and County approval.

### **LAFCO Policy Consistency**

The proposed annexation is consistent with all of the requirements of State law and local LAFCO policy. The draft resolution includes an analysis of this consistency. The analysis includes a review of the factors to be considered by the Commission in the review of a proposed annexation and Sphere of Influence update. Please refer to a summary of three primary considerations below. No unresolved issues remain with this proposal.

Agricultural Land Preservation: The Yanks Air Museum project is a part of a 430-acre property designated as prime farmland, and has historically been used for farming. Prime farmland is directly adjacent on three sides, and across the 101 freeway to the west (see LAFCO's farmland map for the Greenfield area, Attachment 4). The project's 1997 EIR considered the conversion of prime agricultural land to urban uses as a significant impact, partially offset by requirement of two mitigation measures that have since been implemented, i.e., the 306-acre permanent agricultural easement and the 200-foot-wide (47-acre) agricultural buffer zone referenced above. The project site is not currently located subject to a Williamson Act contract.

Economic Benefits: In the current application, the City states that the proposal strengthens the local housing supply and demand by creating approximately 300 full-time, permanent jobs. The

City also notes that the development will diversify the local economy by creating a destination facility of regional and national importance. This development would occur within a City with a low jobs-to-housing ratio. The County Board of Supervisors justified approving the project, despite its impact on agricultural lands, on the basis of its job-creation and other economic benefits in a community with significant unemployment. The recurring annual revenues that will accrue from the site's commercial facilities will help fund municipal services to the area. City general fund revenues will include property, sales, and transient occupancy tax revenues. The City has estimated that, at full build-out, the Yanks Air Museum could annually yield \$1m in property tax and between \$300,000 to \$600,000 in sales and transient occupancy taxes.

Water/Wastewater: The Monterey County Environmental Health Bureau has determined that the City of Greenfield's sewer and water facilities have ample capacity to serve this annexation. Greenfield's municipal water system has the capacity to pump approximately 8.0 million gallons per day (mgd) while the maximum demand is approximately 1.8 mgd. The City's Wastewater Treatment Plant is currently estimated to be operating at 76 percent of capacity. The City has included measures in its 2013-2014 Capital Improvement Projects list to increase sewer existing capacity to meet the project's demand and other future demands.

Fire Protection and Emergency Medical Service (EMS): The Greenfield Fire Protection District provides service both within and outside of the city limits, including the area of the proposed Yanks Air Museum complex. While the current proposal will not affect the District's boundaries, demand for the District's services will increase as a result of the project's airstrip, aircraft museum and storage buildings, hotel, gas station, RV park, restaurants, and other project components. The airstrip element, in particular, may create a new need for the District to obtain specialized staff training and/or firefighting equipment.

The Fire/EMS Service Review completed by LAFCO in 2011 noted that the District is operating under tight fiscal constraints. The District's per capita annual revenues of \$33 per person are the lowest of all fire protection districts in the County. The District receives only three cents for every dollar received by the County for the 1% property tax. The District receives approximately 40% of its revenues from a voter-approved benefits assessment. In recent consultation with LAFCO staff, the District expressed support for the proposed annexation. However, the District also expressed concern that current funding mechanisms are inadequate to meet fire protection needs that will result from build-out of the Yanks project, as well as all other future growth within the District's service area.

The Yanks project's 1997 Environmental Impact Report determined that the project's increased demand for fire protection, including uses associated with the project's airstrip, may require additional firefighting resources. This was considered a significant impact for purposes of compliance with the California Environmental Quality Act (CEQA). Accordingly, the following mitigation measure was developed and included in the project's requirements under the 1997 EIR: *"The project applicant shall coordinate with the volunteer chief of the GFPD [Greenfield Fire Protection District] and his consultant prior to completion of the preliminary design to review project plans and determine the need for mitigation to ensure adequate on-site and off-site facilities to support the proposed airstrip."*

In addition, a July 2001 Memorandum of Agreement (MOA) between the City and the landowner reinforced this mitigation measure by stating that *“Nichols will pay fees or purchase equipment as agreed by the Greenfield Fire Protection District.”*

The project’s first phase (RV park) is currently under construction. To date, fulfillment of the 2001 MOA’s provision for the Nichols family to pay fees or purchase firefighting equipment has not yet occurred. Because of the project’s potentially significant increased future demand for fire protection and emergency medical services, and upon review of this matter with LAFCO’s General Counsel, staff is recommending a condition of approval to ensure that the 1997 mitigation measure and 2001 MOA are addressed. The draft resolution includes a condition that, prior to recordation of the annexation’s Certificate of Completion, the applicant shall provide written evidence of having reached agreement with the Chief of the Greenfield Fire Protection District as to the implementation of these existing commitments.

### **Public Agency Referrals, Agency Comments and Public Notices**

LAFCO has fully complied with requirements and procedures for public agency referrals and public noticing. LAFCO referred the annexation proposal to public agencies for review and comment in June 2013. A public hearing notice ran in the Salinas Californian on August 2, 2013. Notices were mailed for all property owners and registered voters within 300 feet of the annexation area. LAFCO posted notice of the hearing on its website, at the County Government Center, and at the LAFCO office. LAFCO sent the hearing notice to affected agencies and all known interested agencies, organizations and individuals. LAFCO distributed the agenda to all interested parties. Copies of this report were distributed to the applicant and to agencies that submitted comments on the proposal.

LAFCO received comments on the proposal from the County of Monterey Resources Management Agency, including items from the Planning and Public Works Departments and the Environmental Health Bureau. The comments provided several clarifications related to the County’s approved project entitlements, as well as minor technical corrections to the project’s annexation map, which have since been resolved. Public Works staff also recommended that the proposal be modified to include in the annexation the State-owned 101 Freeway right-of-way, adjacent to the project site’s western boundary. A public safety benefit could accrue from including the freeway, in that City of Greenfield Police Department would then assume a “first responder” role—which may, in turn, lower emergency response times—on this approximately 0.75-mile segment of freeway.

LAFCO staff has coordinated with the applicant’s representatives to incorporate the freeway right-of-way into the final annexation map. The project’s draft Resolution includes a condition of approval that the revision be completed to the satisfaction of the LAFCO Executive Officer prior to recordation of a Certificate of Completion for the annexation. Staff anticipates that the necessary coordination can be finalized within the two to three months of “post-Commission approval” clearances normally associated with an annexation, and need not affect the project’s timeline.

The County Environmental Health Bureau (EHB) comments noted that “all of the required public services that EHB are concerned with are provided by the City of Greenfield and those facilities, sewer and water, have ample capacity to serve this annexation.”

### **City/County Consultation**

The Yanks Air Museum proposal includes an amendment to the City of Greenfield’s Sphere of Influence to adjust and expand the project site’s boundary. While the changes are relatively minor, the expansion triggers the requirements of Government Code section 56425. This section requires the City and County to “meet to discuss the proposed new boundaries of the Sphere and explore methods to reach agreement on development standards and planning and zoning requirements[.]” The City and the County have consulted extensively on the Yanks annexation proposal since the 1990s, meeting the Section 56425 requirements and eventually entering into a 2000 Memorandum of Understanding that outlines their agreement. Both jurisdictions adopted a 2012 amendment to this agreement, allowing for one single (rather than phased) annexation.

Transfer of Permitting Authority to City of Greenfield: As previously noted, the project’s development entitlements were approved by the County and the project’s first phase is under construction under County jurisdiction. However, after annexation, the remaining majority of project development would occur under City jurisdiction, with the City assuming responsibility for carrying out the conditions of approval—including environmental mitigation measures and other project conditions—previously established under the County’s entitlements.

A 2012 Memorandum of Understanding amendment between the City and the County anticipated “post-annexation” build-out of the Yanks project (i.e., under the City’s jurisdiction). The City and County agreed that:

- a. Development of the Yanks Project within the City shall be substantially consistent with the Board of Supervisors project approval and environmental review, as reflected in Monterey County Resolution 97-445 and the subsequent extensions thereof;
- b. All planning and building permits shall be consistent with applicable City and County General Plans; and
- c. City shall consult with County regarding conditions of approval adopted by the Board of Supervisors, such that compliance meets County’s intent.

LAFCO General Counsel Les Girard has reviewed the existing 2012 agreement. Counsel determined that additional specificity is warranted with regard to the City’s post-annexation role. Counsel recommends that it would be prudent and appropriate for this annexation to include a condition of approval that specifically calls for the City, upon annexation, to take over the condition-compliance role with respect to implementing the required mitigation measures and other conditions of approval established with the County’s development entitlements. Counsel’s recommended condition of approval language is that the “City and County agree in writing that the City will take over all condition compliance and mitigation monitoring and reporting program (MMRP) rights and obligations of the County with respect to any approvals that have been granted, and agree as to any other matters affecting the various project approvals granted over time.”

LAFCO staff has included a condition to this effect in the draft Resolution. Completion of such an agreement could be included within the approximately two months of “post-Commission approval” requirements normally associated with an annexation, does not necessitate any additional approvals from other governmental agencies, and need not affect the project’s existing timeline.

LAFCO staff has discussed this recommended condition of approval with the applicant’s representative, Christine Kemp. On August 20, Ms. Kemp submitted a letter (Attachment 5) objecting to the recommended condition of approval on the grounds that the 2012 agreement adequately addressed the County-to-City transfer of jurisdictional roles and responsibilities. LAFCO Counsel has reviewed Ms. Kemp’s letter, and recommends that the contemplated agreement remain in the resolution as condition of approval precedent to the annexation’s Certificate of Completion. Counsel advises that the agreement would be simple in nature and would add clarity to the issue of post-annexation responsibilities.

### **City/County Property Tax Transfer**

In 2000, the Monterey County Board of Supervisors and the City of Greenfield approved a Property Tax Transfer Agreement for the proposed annexation (Resolution No. 00-168). On July 14, 2013, the County Administrative Office confirmed the continuing validity of the existing tax transfer agreement and its adequacy for the present proposed action.

### **California Environmental Quality Act (CEQA)**

LAFCO is a Responsible Agency for this proposal under CEQA, per CEQA Guidelines Section 15381. The County adopted a final Environmental Impact Report (EIR) for the Yanks project in 1997. The County prepared an EIR addendum in 2008, and the City prepared a second EIR addendum in 2012. Please refer to the draft resolution for a summary of the County’s previous CEQA determinations for the project, as well as the two subsequent addenda. LAFCO staff has reviewed the record and concurs with these previous environmental determinations.

### **Conditions of Approval**

In addition to standard procedural conditions the draft resolution includes, as noted above, special conditions required to be completed prior to recordation of a Certificate of Completion for the annexation. These conditions have been reviewed in consultation with LAFCO’s General Counsel. The recommended conditions of approval are contained in Sections 20 and 26 of the draft resolution. The proposal is approved subject to:

- a. Review and pre-clearance of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act;
- b. Completion of the Reconsideration process described in Government Code section 56895;
- c. Preparation of a map and geographic description acceptable to the State Board of Equalization;
- d. Payment of all fees incurred in the processing of the application consistent with the LAFCO fee schedule, including the fee required by the State Board of Equalization;

- e. The applicant City's indemnification of LAFCO for any court costs and attorneys' fees that may be required by a court to pay as a result of such action;
- f. Inclusion of 101 freeway right-of-way adjacent to the site's west boundary in the annexation map and accompanying text;
- g. Execution of a written City/County/developer agreement confirming that the City will assume all condition compliance and environmental mitigation monitoring and reporting program (MMRP) rights and obligations of the County with respect to any approvals that have been granted, and agree as to any other matters affecting the various project approvals granted over time, and
- h. Applicant's provision of written evidence of having reached agreement with the Chief of the Greenfield Fire Protection District as to the implementation of the project's existing fire protection-related and emergency medical services-related commitments, as established in the Final EIR mitigation measures and in a July 2001 Memorandum of Agreement between the City of Greenfield and the developer.

### **Reconsideration**

Pursuant to Government Code 56895, any person or affected agency may file a written request to amend, or reconsider, the Commission's action. The person or agency shall file the written request with the Executive Officer by September 25, 2013 (30 days from the resolution's adoption date).

### **Waiver of Conducting Authority ("Protest") Proceedings**

All of the lands included within the proposed annexation are owned by one property owner, the Nichols family. The Nichols family is the project proponent, is in support of the proposed reorganization, and has signed the LAFCO application form consenting to the proposal and waiving protest proceedings. LAFCO's mailed public hearing notice provided information to the Nichols family that LAFCO intends to waive protest proceedings, pursuant to Government Code section 56663, unless they, as the property owners, object in writing prior to conclusion of the August 26 hearing.

### **Conclusion**

The proposed annexation will further the completion of the Yanks Air Museum project, a multiyear collaborative effort between the City of Greenfield, the County of Monterey, the property owners, and LAFCO of Monterey County. Planned development of Yanks has always anticipated annexation into Greenfield; the proposed single action, rather than the previously contemplated staged annexations, will facilitate timely project build-out and efficient delivery of public services. The proposal is consistent with previous LAFCO actions and existing City-County agreements. As discussed above and in the attached draft resolution, the proposal is consistent with all applicable LAFCO policies and criteria. The Executive Officer, therefore, recommends adoption of the draft resolution to approve the proposal.

## Next Steps

If approved, then during the requisite “Reconsideration” period (please see the corresponding subsection above), LAFCO staff will continue to coordinate with the City, County, and developer to implement the annexation’s conditions of approval. As with all annexations in Monterey County, staff will also forward the Commission’s approval to the U.S. Department of Justice (DOJ) for preclearance during this time. The DOJ has up to 60 days within which to respond.

Following satisfactory completion of the preceding items, staff will file a Certificate of Completion with the County Recorder’s Office (thereby effectuating the annexation), and will notify the State Board of Equalization.

## Alternative Actions

In lieu of the recommended action, the Commission may act to deny the Sphere of Influence amendment and reorganization application or to amend the boundaries of the proposed Sphere expansion and/or reorganization. The Commission may also act to modify, delete, or add any appropriate conditions of approval for the proposal. Substantial changes to the draft resolution would require a continuation of the agenda item, with direction to the Executive Officer to prepare a new draft Resolution based on the Commission’s findings.

Respectfully Submitted,



Kate McKenna, AICP  
Executive Officer

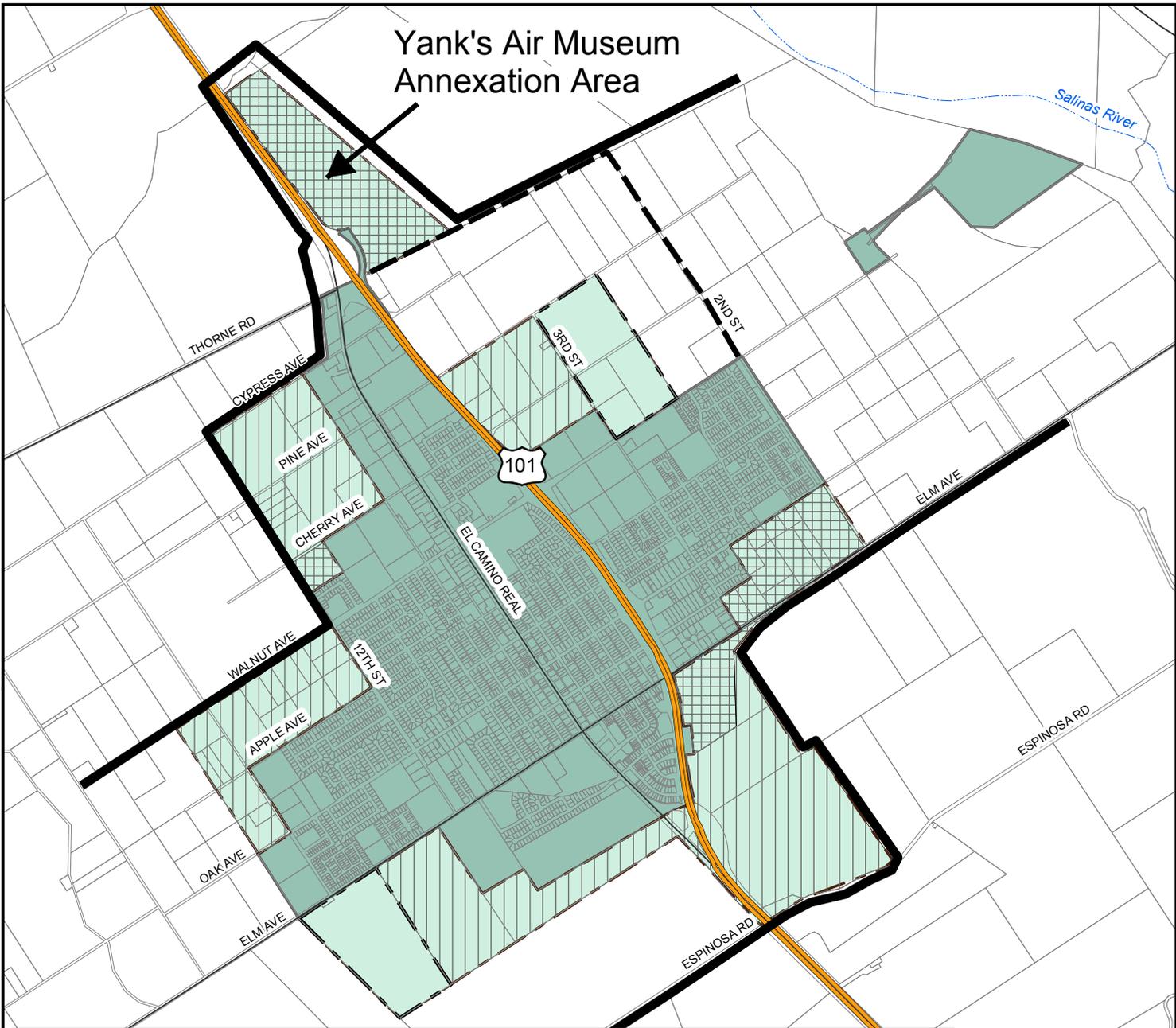
## Attachments:

1. Greenfield Location Map and Conceptual Site Plan
2. Draft LAFCO Resolution, with Exhibit A: Map of Annexation and Sphere of Influence Areas and Geographic Description
3. Yanks Environmental Clearance Documents – in Electronic Format
  - a. Final Environmental Impact Report (EIR)
  - b. EIR Addendum #1
  - c. EIR Addendum #2
4. LAFCO of Monterey County Farmland Map for the Greenfield Area
5. Letter from Christine Kemp dated August 20, 2013

cc: Susan A. Stanton, ICMA-CM, City of Greenfield  
Paul Muga, City of Greenfield  
Christine Kemp; Noland, Hamerly, Etienne & Hoss  
Michael J. Miller, Auditor-Controller, County of Monterey  
Stephen L. Vagnini, Assessor, County of Monterey  
John Olejnik, Caltrans  
Mike Novo, County of Monterey Planning Department  
Bob Schubert, County of Monterey Planning Department  
Carl Holm, County of Monterey Resource Management Agency  
Chief Rich Foster, Greenfield Fire Protection District

**Attachment 1:**  
**Location Map and**  
**Conceptual Site Plan**

# Yank's Air Museum Annexation Area

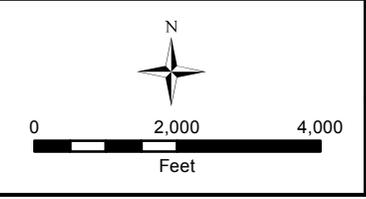


- City Limits
- Sphere of Influence Adopted Prior to 2007
- Sphere of Influence Adopted in 2007 - Urban Service Area: Now served by urban services or proposed for services within 5 years
- Sphere of Influence Adopted in 2007 - Urban Transition Area: Generally proposed for urban services within 5 to 20 years
- Future Study Area: Territory outside the SOI that may warrant inclusion in the future following further study
- Growth Area Boundary: The potential future growth direction of the City through 2050 as contained in the Greater Greenfield Area Memorandum of Agreement (LAFCO Resolution No.13-13, Adopted June 24, 2013)

**LAFCO of Monterey County**  
 LOCAL AGENCY FORMATION COMMISSION

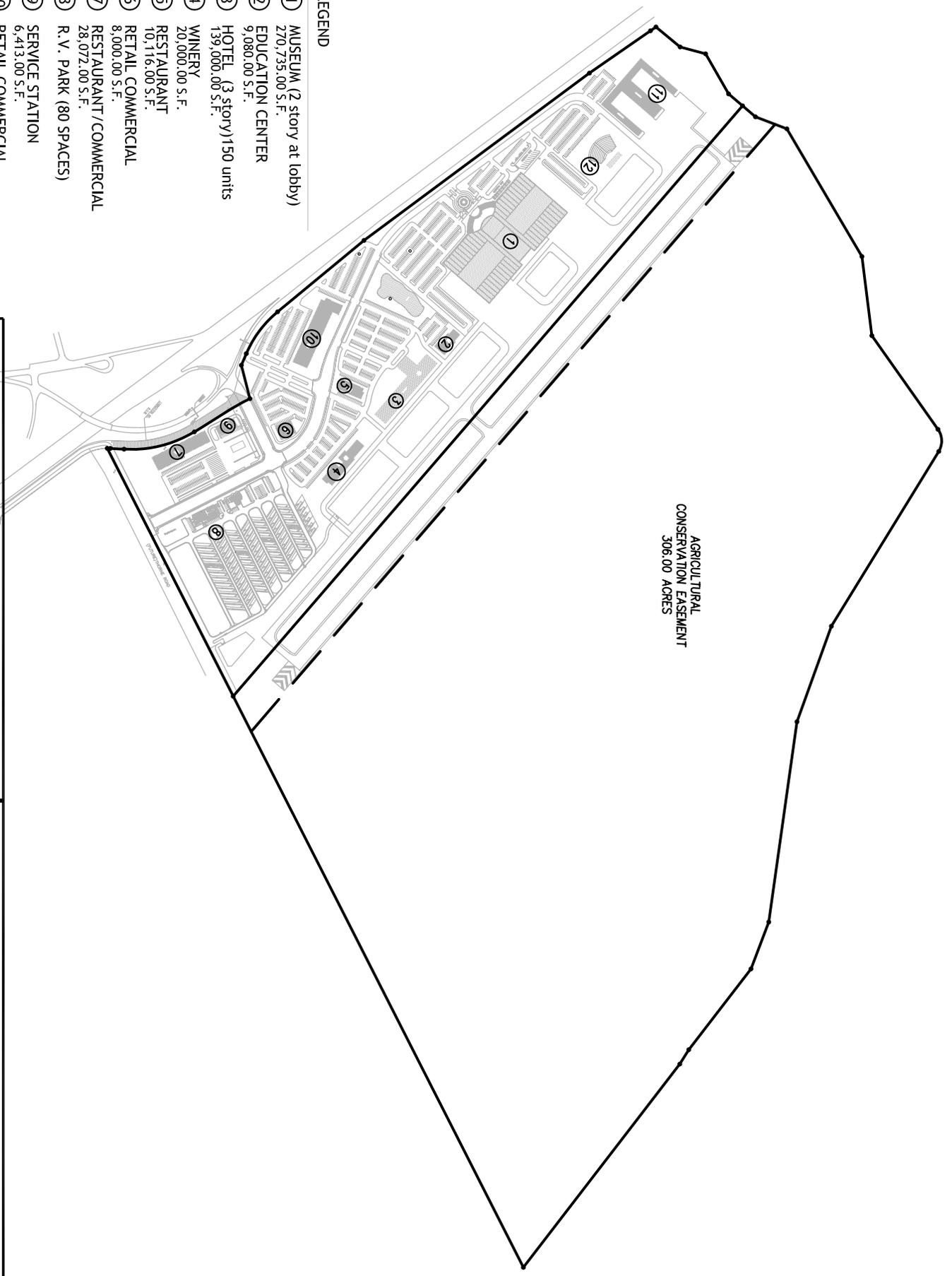
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**CITY OF GREENFIELD**  
 Last LAFCO-Approved Change: 12/1/2008  
 Sphere of Influence Affirmed: 9/27/2010  
 MOA Growth Boundary Added for Illustrative Purposes: 6/24/2013

AGRICULTURAL  
CONSERVATION EASEMENT  
306.00 ACRES



LEGEND

- ① MUSEUM (2 story at lobby)  
270,735.00 S.F.
- ② EDUCATION CENTER  
9,080.00 S.F.
- ③ HOTEL (3 story) 150 units  
139,000.00 S.F.
- ④ WINERY  
20,000.00 S.F.
- ⑤ RESTAURANT  
10,116.00 S.F.
- ⑥ RETAIL COMMERCIAL  
8,000.00 S.F.
- ⑦ RESTAURANT/COMMERCIAL  
28,072.00 S.F.
- ⑧ R.V. PARK (80 SPACES)
- ⑨ SERVICE STATION  
6,413.00 S.F.
- ⑩ RETAIL COMMERCIAL  
40,904.00 S.F.
- ⑪ AIRCRAFT HANGERS  
54,400.00 S.F.
- ⑫ AMPHITHEATER  
3,000.00 S.F.

**DJP**  
ENGINEERING

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SITE PLAN  
YANKS AIR MUSEUM

SCALE: 1"=800'

DATE: 10/23/12

JOB NO.: 09007

SHEET 1 OF 1

**Attachment 2:**

**Draft Resolution with Exhibit A: Map of Annexation/  
Sphere of Influence Areas and Geographic Description**

THE LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

**RESOLUTION NO. 13 – XX**

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION AMENDING THE CITY OF GREENFIELD’S SPHERE OF INFLUENCE BY THE ADDITION OF APPROXIMATELY 47 ACRES, APPROVING THE YANKS AIR MUSEUM ANNEXATION OF APPROXIMATELY 134.7 ACRES OF THIS AREA TO THE CITY, DETACHMENT OF THE AFFECTED AREA FROM THE RESOURCE CONSERVATION DISTRICT OF MONTEREY COUNTY, AND WAIVING CONDUCTING AUTHORITY (“PROTEST”) PROCEEDINGS. (LAFCO FILE NO. 13-03)

WHEREAS, the County of Monterey, the City of Greenfield have worked with the Nichols family for approximately 20 years to develop a World War II and "Golden Era" aircraft museum and related commercial services along the City’s northern boundary; and

WHEREAS, In 1997, the County of Monterey approved development entitlements for the project. Since that time, the County has approved several permit extensions and a Lot Line Adjustment to accommodate a reconfigured site layout. “Phase One” of the project, the recreational vehicle park, is under construction with County permits in a southern portion of the site. The remainder of the site continues to be farmed; and

WHEREAS, the approved project includes placement of 306 acres into a permanent agricultural easement and creation of a 200-foot-wide agricultural buffer easement, granted to the nonprofit Ag Land Trust, along the northern and eastern portions of the site. These easements have been finalized and effectuated; and

WHEREAS, LAFCO has taken two previous actions to facilitate development of the project. In 2000, LAFCO expanded the City’s Sphere of Influence to include the proposed Yanks development site. In 2002, LAFCO approved the City’s request to extend municipal utilities to the site; and

WHEREAS, an application for the proposed Sphere of Influence amendment and annexation to the City of Greenfield, and detachment from the Resource Conservation District of Monterey County (“Proposal”), was heretofore filed and accepted for filing by the Executive Officer of this Local Agency Formation Commission on July 17, 2013, pursuant to Title 6, Division 1, commencing with Section 56000, et seq. of the Government Code; and

WHEREAS, the proposal currently before LAFCO would expand Greenfield’s existing Sphere of Influence by approximately 47 acres to include the project’s 200-foot-wide agricultural buffer area, and would annex the entire site into the City in one LAFCO action; and

WHEREAS, the City and County previously contemplated a phased, multi-year annexation process with each of six project phases being individually annexed into the City

after being developed under County jurisdiction. The current, single-annexation approach will support earlier project build-out, implementation of a City-County tax sharing agreement and conditions of project approval, and efficient delivery of government services.

WHEREAS, the City and the County jointly support the proposed action. The proposal is consistent with a 2008 Memorandum of Understanding (and subsequent amendments) between the City and County in support of developing the Yanks project. The proposal is also consistent with the City-County Memorandum of Agreement pertaining to the broader issues of Greenfield's future growth, which was approved by LAFCO in June 2013 following City and County approval; and

WHEREAS, the Executive Officer, pursuant to Government Code section 56658, set August 26, 2013 as the hearing date on this proposal; and

WHEREAS, the required notice of the hearing was published in the Salinas Californian on August 2, 2013; and

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in said notice of hearing and in any order or orders continuing such hearing; and

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

WHEREAS, the purpose of the reorganization proposal is to provide municipal services to the planned and approved Yanks Air Museum development, and the purpose of the Sphere of Influence amendment is to facilitate the reorganization; and

WHEREAS, the City of Greenfield ("Applicant") has indicated its ability to provide service to the area; and

WHEREAS, this Commission, on August 26, 2013 heard from interested parties, considered the proposal and the report of the Executive Officer and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code sections 56425(e) and 56668; and

WHEREAS, the proposed Sphere of Influence expansion area is contiguous with the currently adopted District Sphere of Influence and boundaries; and

WHEREAS, the Yanks project has undergone a thorough vetting of environmental impact analysis and mitigation through the California Environmental Quality Act process by the County of Monterey and the Yanks Air Museum and Visitor Serving Project Environmental Impact Report was assigned State Clearinghouse Number 96061081; and

WHEREAS, Monterey County Board of Supervisors Resolution No. 12-339, dated November 6, 2012, made findings pursuant to the California Environmental Quality Act (CEQA), including the following:

- BOARD ORDER RESOLUTION No. 12-339 – FINDING #5: On November 4, 1997, the Monterey County Board of Supervisors reviewed and considered the Final EIR (FEIR), made findings required under CEQA Guidelines Section 15091, and certified the FEIR for the Yanks Air Museum project prior to taking action on the application for the Combined Development Permit (Planning Department File No. SH94002). The analysis in the FEIR concluded that the loss of agricultural land resulting from the approval of the project could not be mitigated to less than significant levels. The Board of Supervisors adopted a Statement of Overriding Considerations for the loss of agricultural land. The Board of Supervisors found that the County eliminated or substantially lessened all other significant effects as shown in the findings supporting the certification of the FEIR. The Board of Supervisors approved the Combined Development Permit subject to conditions and mitigation measures identified in the FEIR, and contained in County Resolution 97-445; and
- BOARD ORDER RESOLUTION No. 12-339 – FINDING #6: An Addendum (Addendum No. 1) to the Final Environmental Impact Report (FEIR) was prepared pursuant to the California Code of Regulations, Title 14, (CEQA Guidelines) Section 15164 as part of consideration of a Second Permit Extension Request (Planning File No. 060582) for the approved Combined Development Permit for the Yanks Air Museum Project (File SH94002). Addendum No. 1 to the FEIR was the appropriate mechanism under CEQA for consideration of the Permit Extension Request by the Board of Supervisors. None of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR occurred as part of the Permit Extension Request. Addendum No. 1 reflected the County's independent judgment and analysis. Monterey County, as the CEQA Lead Agency, determined that no Subsequent or Supplemental EIR was required for the Permit Extension Request pursuant to California Public Resources Code Section 21166 or CEQA Guidelines Sections 15162, 15163, or 15164, as none of the conditions described in those Sections occurred. The findings for the adoption of Addendum No. 1 are contained in Board of Supervisors Resolution No. 08-362 dated October 28, 2008; and
- BOARD ORDER RESOLUTION No. 12-339 – FINDING #7: A second Addendum (Addendum No. 2) to the Final Environmental Impact Report (FEIR) was prepared by staff from the City of Greenfield pursuant to the California Code of Regulations, Title 14, (CEQA Guidelines) Section 15164, as part of consideration and adoption of several actions by the City on September 25, 2012 related to the future annexation of the Yanks Air Museum parcel to the City (City of Greenfield City Council Resolution No. 2012-104). The Addendum to the FEIR was determined by the City of Greenfield to be the appropriate mechanism under CEQA to address and disclose the environmental issues related to the Lot Line Adjustment included under the subject application (Planning Department File No. PLN120376). Those issues included the removal of 34 acres from an existing 340-acre Williamson Act Agricultural Preserve (AGP No. 71-41) and Land Conservation Contract (Contract No. 71-41) as amended in 1994. Staff from Monterey County has independently reviewed Addendum No. 2 and agrees that none of the

conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR will occur as part of the approval of the subject Lot Line Adjustment or the annexation of the site to the City. The City of Greenfield, as the CEQA Lead Agency for the annexation, determined that no Subsequent or Supplemental EIR was required for annexation of the site pursuant to Public Resources Code Section 21166 or CEQA Guidelines Sections 15162, 15163, or 15164. The County agrees that none of the conditions described in those Sections will occur; and

WHEREAS, in City of Greenfield Resolution 2012-104 (dated September 25, 2012), the City of Greenfield City Council concurs that the potential impact of the loss of agricultural land is a significant impact that cannot be reduced to less than significant levels with mitigation and therefore, affirms the Statement of Overriding Considerations adopted by the County Board of Supervisors, which found that the job creation and economic benefits of the Yanks project outweigh the loss of farmland. The City of Greenfield concurs with the County Board's finding. The City of Greenfield finds, concurs and affirms that the benefits of the approximately 54 acre sphere amendment and annexation to the City of Greenfield of approximately 135 acres inclusive of the approximately 24 acre airstrip and approximately 30 acre agricultural buffer easement outweigh the loss of agricultural land, as found in Yanks Air Museum Visitor Serving FEIR 95-01; and, the City of Greenfield finds, concurs and affirms that an additional approximately 54 acres inclusive of the airstrip and agricultural buffer constitutes a nominal change in the project design, and creates no substantially new adverse impacts nor creates any substantial intensification of impacts which are unaddressed in the Yanks FEIR 95-01 and City of Greenfield General Plan FEIR SCH#2004061138; and

WHEREAS, the Local Agency Formation Commission is a Responsible Agency per the California Environmental Quality Act, Guidelines Section 15381; and

WHEREAS, the entirety of the aforementioned environmental impact analysis documents specific to the Yanks Air Museum and Visitor Serving Project are attached for reference and made available to the LAFCO Commission at this hearing, and the public may obtain this same information at the LAFCO office and the LAFCO website; and

WHEREAS, pursuant to California Environmental Quality Act Guidelines Section 15162 and 15163, LAFCO finds that no subsequent or supplemental environmental review is required. The LAFCO Executive Officer has reviewed and concurs with the previous environmental determination cited above. The Commission has reviewed and considered the FEIR for the project, and considered the environmental information in the application for annexation of the Yanks Air Museum property and finds that there are no substantial changes in the project, no changes in circumstances, and no new information of substantial importance that would require revisions in the environmental analysis due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects; and

WHEREAS, on August 26, 2013, the Local Agency Formation Commission held a public meeting at which the Commission considered the environmental documents and all interested parties had the opportunity to appear and be heard; and

WHEREAS, the Monterey County Board of Supervisors and the Greenfield City Council considered and adopted a tax transfer agreement in 2000, the validity and adequacy of which was confirmed, for the present proposal, by the County of Monterey in July 2013.

NOW, THEREFORE, the Local Agency Formation Commission of Monterey County does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The above described recitals are true and correct.

Section 2. In determining the Sphere of Influence of the City of Greenfield, the Commission, in accord with Section 56425(e) of the Government Code, has considered and prepared a written statement of its determinations with respect to each of the following:

- *The present and planned land uses in the area, including agricultural and open-space lands.*

The proposed Sphere of Influence expansion area is approximately 47 acres. The two primary components of the Sphere expansion area are a planned private airstrip and a 200-foot-wide agricultural buffer easement, each of which is directly related to the Yanks Air Museum project. While the overall site, including the proposed 47-acre expansion area, is currently farmed, the conversion of this land to commercial uses was approved by the Monterey County Board of Supervisors in 1997 and has been affirmed by several County, City, and LAFCO decisions since approval of the original entitlements. The proposed expansion area is located directly adjacent to the Sphere of Influence expansion approved by LAFCO in 2000 to accommodate the future Yanks Air Museum. The expansion will allow the reorganization area boundaries to be consistent with the lot line adjustment approved by the Monterey County Board of Supervisors in 2012.

- *The present and probable need for public facilities and services in the area, and*
- *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

The Sphere of Influence expansion area is currently farmed and requires few public facilities and services. The area is within the boundaries of the Greenfield Fire Protection District, which provides fire protection and emergency medical services independent of the City.

The City's operations and boundaries were reviewed within the Greenfield Municipal Service Review which was approved by LAFCO in September 2010. This analysis did not identify any deficiencies in the City's services or structure that would impair the City's ability to serve the project's likely future needs. The proposed 47-acre Sphere expansion is consistent with the City-County Memorandum of Agreement approved by LAFCO in June 2012, following City and County approvals.

In its annexation application, the City has determined that it will have the physical and financial abilities to provide the needed facilities and services. The Greenfield Fire Protection District has also indicated the existing mitigation measures and agreements will be adequate to serve the project's potential increased future demands on fire protection services.

- *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*

The site is currently uninhabited. There are no social or economic communities of interest in the affected 47-acre Sphere expansion area.

- *The present and probable need for public facilities and services [related to sewers and municipal and industrial water] of any disadvantaged unincorporated communities within the existing Sphere of Influence.*

There are no unincorporated communities within the City of Greenfield's existing or proposed Sphere.

Section 3. The Commission has considered the factors set forth in the Cortese-Knox-Hertzberg Act for reorganization and found them to be consistent with the current proposal, as more fully discussed below.

Section 4. *Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years (Gov. Code § 56668(a).)*

The proposed reorganization area is approximately 134.7 acres in size. The site is uninhabited. The site is relatively flat, contains no water bodies, and is located adjacent to the existing Greenfield city limits on the eastern side of U. S. Highway 101. The northern and eastern edges of the proposed reorganization area are contained within agricultural buffer easements. The approximately 306-acre parcel to the east of the Yanks Air Museum is protected by a permanent agricultural preservation easement that was a required mitigation measure for the proposed Yanks Air Museum project. The Highway 101 freeway separates the development site from agricultural lands to the west, located outside the Growth Area Boundary adopted by LAFCO in June 2013. The only site-adjacent area of potential growth in the foreseeable future is on lands to the south, which the City's General Plan designates for "Artisan Agricultural Visitor Serving (AAVS)" uses. This General Plan designation allows small-scale agricultural activities while simultaneously accommodating visitor-serving uses. While this AAVS area is not within the City's Sphere of Influence, LAFCO has designated the area south of the Yanks Air Museum as a Future Study Area.

Section 5. *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; probable effect of the proposed ... annexation ... and of alternative courses of action on*

*the cost and adequacy of services and controls in the area and adjacent areas. (Gov. Code § 56668(b).)*

The proposed reorganization area is within the boundaries of the Greenfield Fire Protection District, and served by District firefighters and EMTs. The area is also served by the City of Greenfield for water and sewer services. The extension of water and sewer services outside the City boundaries was approved by LAFCO in 2002 in anticipation of future annexation. The property owner is paying the City directly for these services.

The annexation will allow Yanks Air Museum to be served by the Greenfield Police Department, which is located within two miles of the project site, with timely emergency response possible via El Camino Real and/or Highway 101. A further public safety benefit could accrue from including the 101 freeway right-of-way, adjacent to the project site's western boundary, in this annexation. In so doing, the City of Greenfield Police Department would then assume a "first responder" role, which may, in turn, further enhance emergency response times on this approximately 0.75-mile segment of freeway. Completion of annexation map and text revisions to include the adjacent segment of the freeway right-of-way is included in this resolution, accordingly, as a condition of approval.

The annexation will allow the Yanks Air Museum site to be governed by the Greenfield City Council rather than the more physically distant County Board of Supervisors. It will allow the City to issue planning and building permits, and to ensure compliance with local codes. The City would also be responsible for most other municipal services, including parks, recreation facilities, open space, street maintenance, street lighting, and street sweeping.

Section 6. *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. (Gov. Code § 56668(c).)*

The proposed reorganization has been anticipated by the City and County for over a decade. The anticipated future Yanks project's potential impacts have been identified and mitigated, as warranted, through the project's environmental clearance process. The detachment of the annexation area from the Resource Conservation District is a routine change in Monterey County for a municipal annexation. The inclusion of the visitor destination within the City limits will strengthen police protection on the site.

This resolution includes, as a condition of approval, the execution of a written agreement that the City will take over all condition compliance and environmental mitigation monitoring and reporting program (MMRP) rights and obligations of the County with respect to any approvals that have been granted, and agree as to any other matters affecting the various project approvals granted over time.

Section 7. *The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. (Gov. Code § 56668(d).)*

Section 56377 applies to proposals that could reasonably be expected to induce, facilitate, or lead to conversion of existing open space lands to uses other than open space uses. The proposed annexation facilitates a project that converts this currently agricultural parcel to urban uses. However, this conversion has been approved and entitled by the County Board of Supervisors and the visitor-serving facilities are currently being developed. The County approval required mitigation in the form of placing a permanent agricultural conservation easement on a 306-acre parcel immediately to the east and ringing the northern and eastern air museum boundary with a 200-foot-wide agricultural buffer easement. The proposed reorganization area is contiguous with the existing City boundaries. This area is being developed with urban-type uses and at an urban density, and is therefore best served by being located within an incorporated city.

Section 8. *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined in Section 56016. (Gov. Code § 56668(e)).*

The County has required two primary environmental mitigation measures that will maintain the physical and economic integrity of adjacent agricultural lands, while allowing this commercial development to move forward and strengthen the local economy. The two primary mitigation measures have required the placement of a permanent agricultural conservation easement on a 306-acre parcel immediately to the east of the site, and placement of a 200-foot agricultural buffer easement along the northern and eastern site boundaries. These mitigation measures have been finalized and recorded.

Section 9. *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. (Gov. Code § 56668(f).)*

The proposed reorganization area consists of a single legal lot of record with four assigned Tax Assessor's parcel numbers: 111-012-017, 018, 019 and 020. The site is contiguous with the existing City limits. As noted above, completion of annexation map and text revisions to include the adjacent segment of the freeway right-of-way is included in this resolution as a condition of approval. Including the adjacent freeway segment in the annexation is consistent with the freeway's current inclusion within the existing City limits.

Section 10. *A regional transportation plan adopted pursuant to Section 65080 and consistency with City or County General and Specific Plans. (Gov. Code § 56668(g).)*

Development entitlements for the Yanks Air Museum were approved by the County Board of Supervisors 1997 and found to be consistent with the County General Plan and zoning designations. Environmental clearance for the project's development entitlements ensured compliance with all applicable transportation plans and requirements. The City of Greenfield has pre-designated the site as Artisan Agricultural Visitor Serving with a Gateway overlay. The current City General Plan and pre-zoning designations were adopted in anticipation of development of the Yanks project.

Section 11. *The Sphere of Influence of any local agency, which may be applicable to the proposal being reviewed. (Gov. Code §§ 56375.5, 56668(h).)*

The proposed reorganization area is neither within, nor in proximity to, the Sphere of Influence of any other governmental body that could provide a full range of municipal services.

Section 12. *The comments of any affected local agency or other public agency. (Gov. Code § 56668(i).)*

In making its determinations, the Commission has considered input received from the Monterey County Resource Management Agency, which included comments from the County Planning and Public Works Departments, and the Environmental Health Bureau. The Public Works Department comments recommended that the segment of the 101 freeway, adjacent to the site's western boundary, be included in the annexation. This resolution includes a corresponding condition of approval, as noted above in Section 4. No other public agency commented on the proposal.

Section 13. *The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. (Gov. Code § 56668(j).)*

Annual revenues generated from the commercial facilities on the site will fund municipal services to the area. City general fund revenues will include property, sales, and transient occupancy tax revenues. The City has estimated that the Yanks Air Museum may annually yield \$1 million in property tax and between \$300 and \$600 thousand in sales and transient occupancy taxes. Direct government services, such as sewer and water, will continue to be paid by the property owner.

Section 14. *Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. (Gov. Code § 56668(k).)*

LAFCO's 2010 Municipal Service Review for the City found that the municipal water system has the capacity to pump approximately 8.0 million gallons a day (mgd) while the maximum current demand is reported at approximately 1.8 mgd. In a response to this annexation's application referral, the Monterey County Environmental Health Bureau has informed LAFCO staff that "all of the required public services that EHB are concerned with are provided by the City of Greenfield and those facilities, sewer and water, have ample capacity to serve this annexation."

Section 15. *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. (Gov. Code § 56668(l).)*

The Affected Territory is developed consistent with both the County and the City general plans and zoning designations. The property has never been designated for housing development.

Because the City and surrounding area contains more housing than jobs, the development of this site for visitor-serving uses will improve the local jobs/housing balance.

Section 16. *Any information or comments from the landowner or owners, voters, or residents of the affected territory. (Gov. Code § 56668(m).)*

The landowners of the single parcel proposed for the reorganization support the proposal and have signed a consent form to include their property within it. The property is unoccupied and contains no residents or voters.

Section 17. *Any information relating to existing land use designations. (Gov. Code § 56668(n).)*

The area has two zoning designations under the County's Zoning Ordinance: Heavy Commercial and Farmlands, 40 Acre Minimum. The City has designated the 134.7-acre site in the General Plan as "Artisan Agriculture & Visitor Serving" with a "Gateway Overlay." The City pre-zoned the site consistent with the General Plan on September 25, 2012. The proposed development is consistent with this designation.

Section 18. *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. (Gov. Code § 56668(o).)*

The City anticipates that the reorganization will provide jobs and tax revenues which will benefit City residents. The City has one of the lowest household incomes in the County.

Section 19. *Whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner, or reorganization with other single-purpose agencies that provide related services. (Gov. Code §§ 56301, 56886.5.)*

The City of Greenfield is adjacent to the proposed annexation area, and the proposed development area is currently within the City's Sphere of Influence. The Yanks Air Museum is most appropriately located within the City limits of Greenfield, a local agency capable of providing a full range of municipal services.

Section 20. The proposal is approved subject to the following terms and conditions:

- a. Review and pre-clearance of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act;
- b. Completion of the Reconsideration process described in Government Code section 56895;
- c. Preparation of a map and geographic description acceptable to the State Board of Equalization;
- d. Payment of all fees incurred in the processing of the application consistent with the LAFCO fee schedule, including the fee required by the State Board of Equalization;

- e. The applicant City's indemnification of LAFCO for any court costs and attorneys' fees that may be required by a court to pay as a result of such action (see Section 26, below);
- f. Inclusion of 101 freeway right-of-way adjacent to the site's west boundary in the annexation map and accompanying text;
- g. Execution of a written City/County/developer agreement confirming that the City will assume all condition compliance and environmental mitigation monitoring and reporting program (MMRP) rights and obligations of the County with respect to any approvals that have been granted, and agree as to any other matters affecting the various project approvals granted over time, and
- h. Applicant's provision of written evidence of having reached agreement with the Chief of the Greenfield Fire Protection District as to the future implementation of the project's fire protection commitments, as previously established in the Final EIR mitigation measures and a July 2001 Memorandum of Agreement between the City of Greenfield and the developer.

Section 21. The Certificate of Completion for the reorganization shall not be issued until all terms and conditions are met. The Sphere of Influence expansion shall be effective immediately upon approval of this resolution and the completion of any requested reconsiderations.

Section 22. If a Certificate of Completion for a change of organization or reorganization has not been filed within one year after the Commission approves a proposal for that proceeding, the proceeding shall be deemed abandoned unless prior to the expiration of that year the Commission authorizes an extension of time for that completion. The extension may be for any period deemed reasonable to the Commission for completion of necessary prerequisite actions by any party. If a proceeding has not been completed because of the order or decree of a court of competent jurisdiction temporarily enjoining or restraining the proceedings, this shall not be deemed a failure of completion and the one-year period shall be tolled for the time that order or decree is in effect. [Government Code section 57001]

Section 23. The boundaries of the territory proposed as the Sphere of Influence amendment is hereby approved as described in Exhibit "A," attached hereto and made a part hereof. The boundaries of the territory proposed for reorganization is hereby approved as described in Exhibit "B," attached hereto and made a part hereof. The reorganization is assigned the following distinctive short form designation: **"YANKS AIR MUSEUM REORGANIZATION."**

Section 24. The provisions of the previously approved City-County property tax transfer agreement remain in effect.

Section 25. The affected territory is uninhabited. All of the affected area is owned by one property owner, who has signed and consented to the annexation application. Pursuant to California Government Code Section 56663, Conducting Authority Proceedings ("protest hearing") are waived.

Section 26. The applicant City agrees, as a condition of the approval of this application, to defend at its sole expense any action brought against LAFCO, the Commission and its staff, because of the approval of this application. The applicant will reimburse LAFCO for any court costs and attorneys' fees which may be required by a court to pay as a result of such action. LAFCO may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his obligations under this condition. The obligation on the part of the applicant to indemnify LAFCO is effective upon the adoption of this resolution and does not require any further action.

Section 27. The effective date of the reorganization will be the filing of the Certificate of Completion.

Section 28. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Section 56882 of the Government Code.

UPON MOTION of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution is adopted this 26<sup>th</sup> day of August, 2013 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

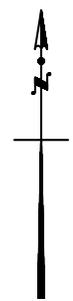
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Louis R. Calcagno, Chair  
Local Agency Formation Commission of Monterey County

ATTEST: I certify that the within instrument is a true and complete copy of the original resolution of said Commission on file within this office.

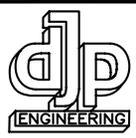
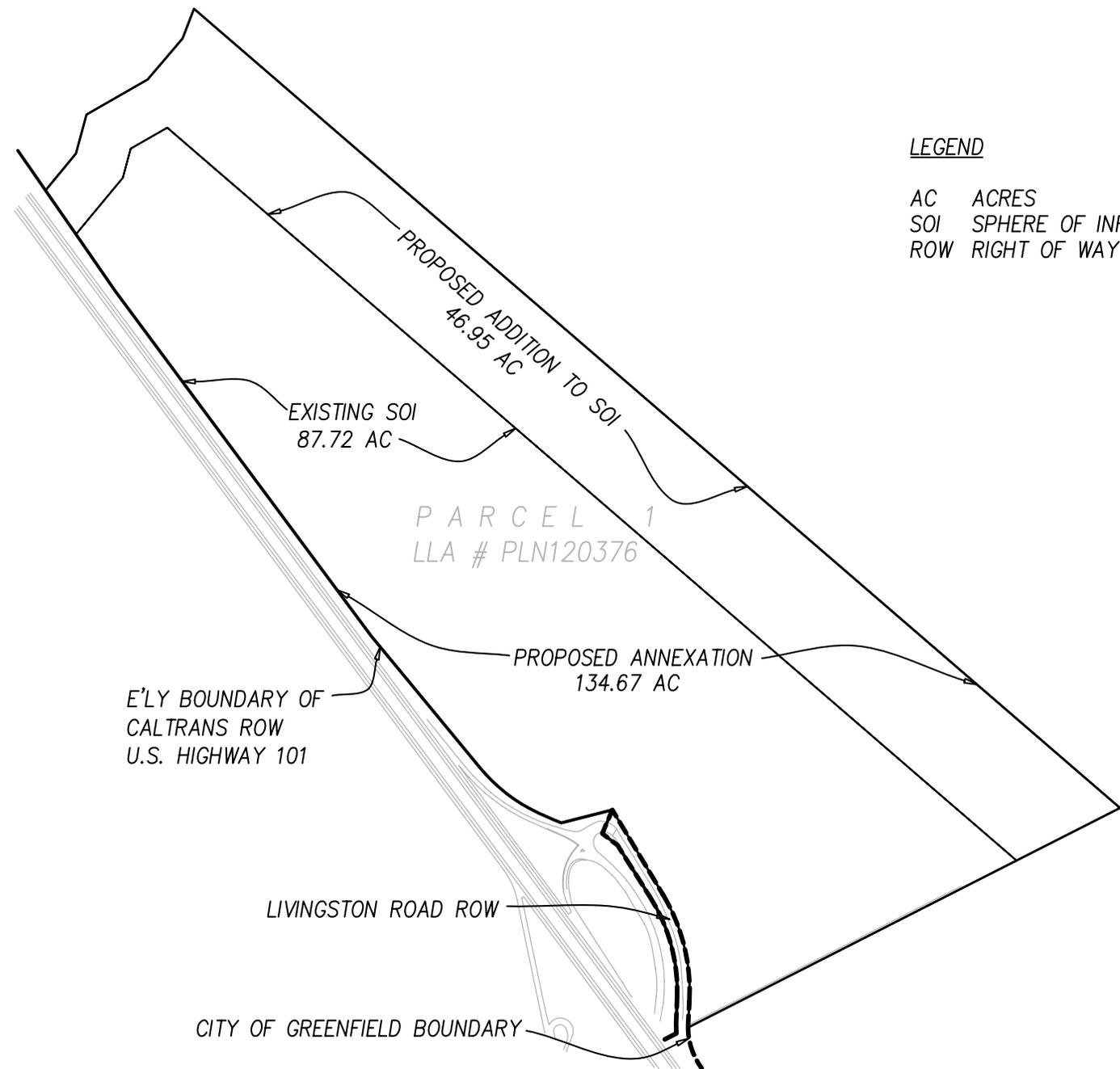
Witness my hand this \_\_\_\_ day of August, 2013

By: \_\_\_\_\_  
Kate McKenna, AICP, Executive Officer



LEGEND

AC ACRES  
SOI SPHERE OF INFLUENCE  
ROW RIGHT OF WAY



DJP ENGINEERING  
100 NORTH BARRANCA, SUITE 860  
WEST COVINA, CA 91791  
TEL 626-966-8200  
FAX 626-966-8255

YANKS AIR MUSEUM  
SPHERE OF INFLUENCE EXHIBIT  
CITY OF GREENFIELD

SCALE: 1"=600'

DATE: 05/23/13

JOB NO.: 09007

SHEET 1 OF 1

**ANNEXATION TO THE CITY OF GREENFIELD  
PORTIONS OF THE NORTHERN HALF OF THE "ARROYO SECO RANCHO"  
MONTEREY COUNTY, CALIFORNIA**

**GEOGRAPHIC DESCRIPTION**

PARCEL A AND A PORTION OF PARCEL B, AS SHOWN ON THAT CERTAIN MAP FILED FOR RECORD JUNE 27, 2002 IN VOLUME 25 OF SURVEYS, AT PAGE 73, FILED IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT ON THE EXISTING CORPORATE CITY LIMIT LINE OF THE CITY OF GREENFIELD, SAID POINT ALSO BEING THE INTERSECTION OF THE EASTERLY SIDELINE OF STATE HIGHWAY 101 AND THE EASTERLY SIDELINE OF LIVINGSTON ROAD, SAID POINT ALSO BEING THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE HAVING A BEARING OF NORTH 30° 53' 33 WEST, AS DESCRIBED IN THAT LOCAL AGENCY FORMATION COMMISSION OF MONTEREY CERTIFICATE OF COMPLETION, RECORDED ON JULY 23, 1997 IN REEL 3547, OFFICIAL RECORDS AT PAGES 1032 THROUGH 1040, INCLUSIVE, IN THE OFFICE OF THE MONTEREY COUNTY RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PARCEL A, **(1)** SOUTH 75° 44' 01" WEST 204.98 FEET;

THENCE, **(2)** NORTH 66° 49' 46" WEST 74.72 FEET;

THENCE, **(3)** ALONG A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 656.00 FEET, A CENTRAL ANGLE OF 27° 15' 22", AN ARC DISTANCE OF 312.06 FEET;

THENCE, **(4)** NORTH 39° 34' 24" WEST 664.41 FEET;

THENCE, **(5)** NORTH 36° 35' 31" WEST 1665.05 FEET;

THENCE, **(6)** NORTH 34° 45' 50" WEST 480.13 FEET;

THENCE, **(7)** NORTH 39° 38' 29" EAST 185.87 FEET;

THENCE, **(8)** NORTH 15° 05' 18" EAST 157.00 FEET;

THENCE, **(9)** NORTH 50° 12' 50" EAST 273.78 FEET;

THENCE, **(10)** NORTH 40° 26' 06" EAST 108.54 FEET;

THENCE LEAVING THE BOUNDARY OF SAID PARCEL A AND ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL B, **(11)** NORTH 40° 26' 06" EAST 101.18 FEET;

THENCE, **(12)** NORTH 20° 57' 58" EAST 123.72 FEET;

THENCE, LEAVING THE NORTHERLY BOUNDARY OF SAID PARCEL B, **(13)** SOUTH 49° 13' 28" EAST 4755.81 FEET TO A POINT IN THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL B;

THENCE, ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL B, **(14)** SOUTH 63° 04' 13" WEST 235.16 FEET;

THENCE, LEAVING THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL B AND ALONG THE BOUNDARY OF SAID PARCEL A, **(15)** SOUTH 63° 04' 13" WEST 1649.16 FEET TO A POINT ON SAID EXISTING CORPORATE CITY LIMIT LINE;

THENCE, ALONG SAID CORPORATE CITY LIMIT LINE, **(16)** ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 272.00 FEET, A CENTRAL ANGLE OF 3° 54' 32", AN ARC DISTANCE OF 18.56 FEET, A RADIAL LINE TO POINT OF CURVATURE HAVING A BEARING OF SOUTH 89° 21' 34" WEST;

THENCE, **(17)** NORTH 03° 16' 06" EAST 81.65 FEET;

THENCE, **(18)** ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 730.00 FEET, A CENTRAL ANGLE OF 34° 08' 36", AN ARC DISTANCE OF 435.02 FEET;

THENCE, **(19)** NORTH 30° 52' 30" WEST 384.11 FEET TO THE **POINT OF BEGINNING** AND CONTAINING AN AREA OF 134.67 ACRES, MORE OR LESS.

*For assessment purposes only. This description of land 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.*

**Attachment 3:**

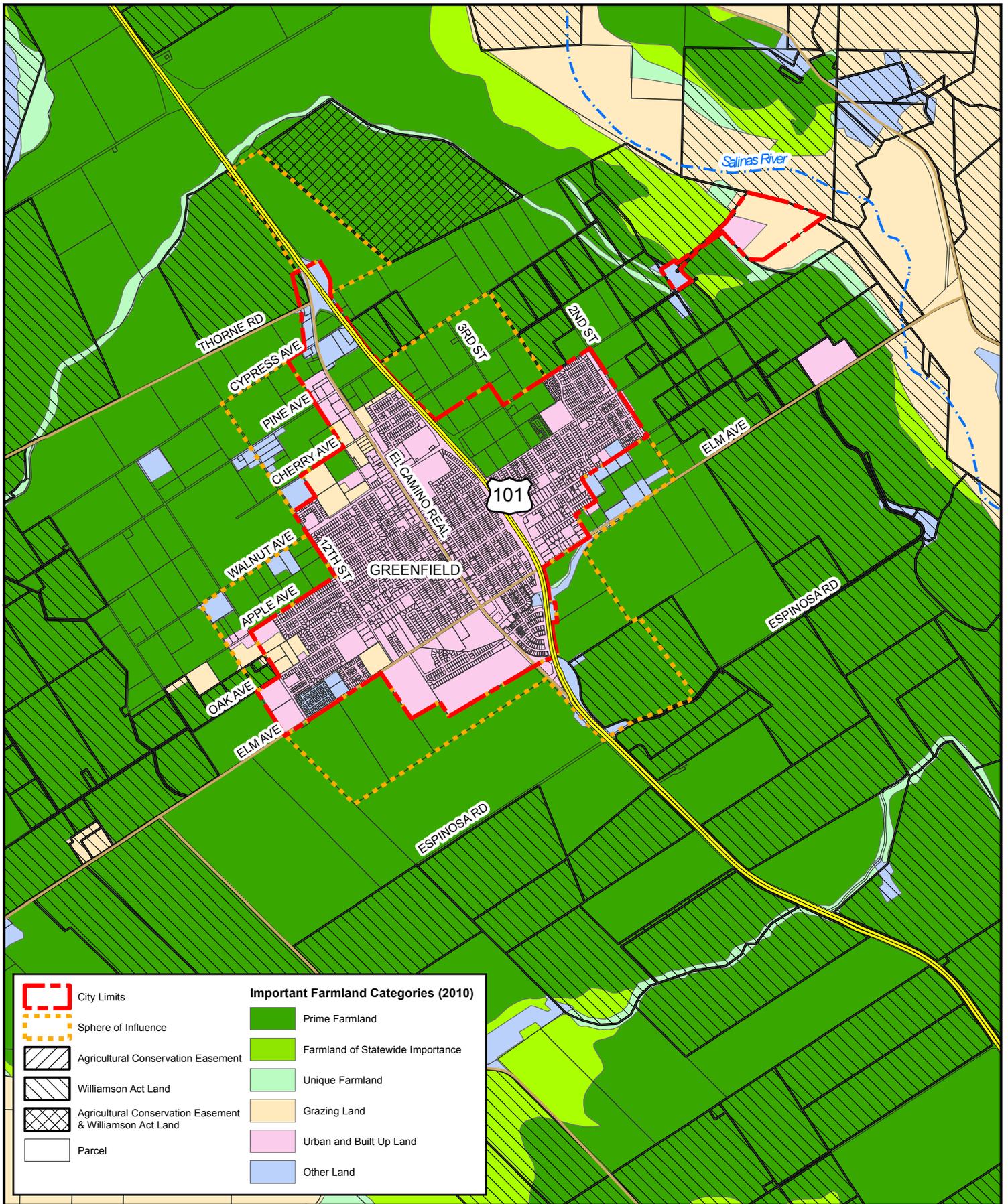
**Environmental Clearance Documents**

Available on CD-ROM and via the LAFCO of Monterey County web site.

Paper copies are on file at the LAFCO office.



**Attachment 4:  
Greenfield Area Farmland &  
Agricultural Resources Map**

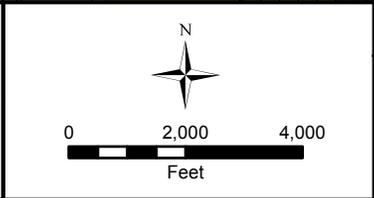


	City Limits	<b>Important Farmland Categories (2010)</b>		Prime Farmland
	Sphere of Influence		Farmland of Statewide Importance	
	Agricultural Conservation Easement		Unique Farmland	
	Williamson Act Land		Grazing Land	
	Agricultural Conservation Easement & Williamson Act Land		Urban and Built Up Land	
	Parcel		Other Land	

**LAFCO of Monterey County**  
 LOCAL AGENCY FORMATION COMMISSION

P.O. Box 1369  
 Salinas, CA 93902  
 Telephone (831) 754-5838

132 W. Gabilan St., Suite 102  
 Salinas, CA 93901  
 FAX (831) 754-5831



Farmland & Agricultural Resources

**GREENFIELD AREA**

Map Prepared: September 2011

**Attachment 5:**

**Letter from Christine Kemp (Noland, Hamerly, Etienne & Hoss)  
Dated August 20, 2013**

August 20, 2013

*James D. Schwefel, Jr.*

*Stephen W. Pearson*

*Lloyd W. Lowrey, Jr.*

*Anne K. Secker*

*Randy Meyenberg*

*Michael Masuda*

*Christine G. Kemp*

*\* Jo Marie Ometer*

*Terrence R. O'Connor*

*Timothy J. Baldwin*

*\* Leslie E. Finnegan*

*\* Charles Des Roches*

*Stephen F. Wagner*

*Retired*

*Myron E. Etienne, Jr.*

*Peter T. Hoss*

*Martin J. May*

*Harry L. Noland  
(1904-1991)*

*Paul M. Hamerly  
(1920-2000)*

*\* CERTIFIED SPECIALIST IN  
PROBATE, ESTATE PLANNING,  
AND TRUST LAW BY  
THE CALIFORNIA BOARD OF  
LEGAL SPECIALIZATION  
STATE BAR OF CALIFORNIA*

**VIA E-MAIL and HAND DELIVERY**

Kate McKenna  
Executive Officer  
LAFCO  
132 W. Gabilan Street, Ste. 102  
Salinas, CA 93901

Darren McBain  
Senior Analyst  
LAFCO  
132 W. Gabilan Street, Ste. 102  
Salinas, CA 93901

Re: Yanks - City of Greenfield Annexation  
LAFCO File No. 13-003

Dear Ms. McKenna and Mr. McBain:

I am writing in reply to the email from Carl Holm and my subsequent discussion with Mr. McBain regarding the County's desire that annexation of the 134.67 acre Yanks Air Museum site owned by Mr. and Mrs. Nichols (Yanks site) to the City of Greenfield be conditioned upon a new three-way agreement between the County, the City, and Mr. and Mrs. Nichols regarding how condition compliance for the Yanks project will occur post annexation.

The existing MOU between the City and the County governs the annexation. A further agreement is unnecessary.

Pursuant to the existing MOU between the City and the County, as amended on August 28, 2012, if annexation of the entire Yanks site occurs prior to completion of the Yanks project, the City and County agreed that:

Kate McKenna  
Darrin McBain  
August 20, 2013  
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- a) development of the Yanks Project within the City shall be substantially consistent with the Board of Supervisors project approval and environmental review as reflected in the Monterey County Resolutions of Approval and extensions thereof;
- b) all planning and building permits shall be consistent with applicable City and County General Plans; and
- c) the City shall consult with the County regarding conditions of approval adopted by the Board of Supervisors such that compliance meets with the County's intent.

Following the annexation, Mr. Nichols will be unable to obtain permits for the Yanks project unless the City issues those permits. Since the City is already bound to issue those permits in a manner consistent with the City-County MOU, there is no reason for Mr. Nichols to enter into a new agreement with the City and County on how his permit will be handled.

From our perspective if additional approvals are required from Federal, State and County departments this will only complicate and delay the building process of Phase II and III, which are currently scheduled to begin by year end now that funding for the hotel is available. Otherwise, there is no benefit to Yanks in annexing to the City of Greenfield at this time.

Accordingly, on behalf of Mr. and Mrs. Nichols we respectfully request that LAFCO not include a condition requiring an additional three-way open-ended mitigation agreement between the City, the County, and Mr. and Mrs. Nichols. From our perspective, doing so will only complicate and potentially delay the annexation process.

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS  
A Professional Corporation

  
Christine G. Kemp

CGK:aac

Cc: Mr. and Mrs. Nichols  
Susan Stanton, Greenfield City Manager  
Paul Muga, Asst. Greenfield City Manager  
Carl Holm, Deputy Director, Monterey County Resource Management Agency