

## Justification for Proposal and Preliminary Environmental Description Form

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the proposed project site to allow the Commission, its staff and others to adequately assess the project. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your project. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: **Sphere of Influence Amendment (Expansion/Reduction) and Reorganization to Include Annexation to and Detachment from Apple Valley Fire Protection District (I-15 Jurisdictional Realignment)**
  
2. NAME OF APPLICANT: **Apple Valley Fire Protection District**  
MAILING ADDRESS: **22400 Headquarters Drive, Apple Valley, CA 92307**  
PHONE: **760.247.7618**  
FAX: **760.247.3895**  
E-MAIL ADDRESS: **dqualls@applevalleyfd.com**
  
3. GENERAL LOCATION OF PROPOSAL: **Interstate 15 Freeway between the logical extension of Dante Street and Dale Evans Parkway. The sphere of influence expansion and annexation for Apple Valley FPD includes the east side of the I-15 Freeway right-of-way area from the logical extension of Dante Street and to the Stoddard Wells Road/Bell Mountain exit (Exit 157). The sphere of influence reduction and detachment for Apple Valley FPD includes the west side of the I-15 Freeway right of way area from the Stoddard Wells Road/Bell Mountain exit (Exit 157) to the Dale Evans Parkway Exit (Exit 161).**
  
4. Does the application possess 100% written consent of each landowner in the subject territory?  
YES \_\_\_ NO **X** If YES, provide written authorization for change.
  
5. Indicate the reasons that the proposed action has been requested: **This proposal is to realign the boundaries between the Apple Valley FPD, the San Bernardino County FPD, and the City of Victorville's Fire Department along the centerline of the I-15 Freeway corridor. The realignment would delineate clear jurisdictional boundaries between the three fire service providers within the area, which also runs along existing boundaries between the City of Victorville, the Town of Apple Valley, and unincorporated area.**
  
6. Would the proposal create a totally or substantially surrounded island of unincorporated territory?  
YES \_\_\_ **NO X** If YES, please provide a written justification for the proposed boundary configuration.

**This proposal actually eliminates an island created by the dissolution of the Victorville Fire Protection District.**

**LAND USE AND DEVELOPMENT POTENTIAL**

- 1. Total land area (defined in acres): **Approximately 190 acres as estimated by LAFCO staff.**
- 2. Current dwelling units in area: **None**
- 3. Approximate current population in area: **None**
- 4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):

**Within the Town of Apple Valley, the majority of the area is within the I-15 Freeway (Cal Trans owned right-of-way). One parcel (along the Stoddard Wells Road/Bell Mountain west side off/on ramp) is designated as C-R (Regional Commercial). The C-R district is intended for the development of a full range of retail stores, offices and personal and business services on a scale to serve the needs of the Town and the surrounding region, to be located in proximity to interstate and state highways and arterial roadways.**

San Bernardino County General Plan designation(s) and uses permitted by this designation(s): **A portion of the freeway right-of-way is designated in the County as RC (Resource Conservation). This district provides sites for open space and recreational activities, single-family homes on very large parcels (40 acres) and similar and compatible uses.**

- 5. Describe any special land use concerns expressed in the above plans. **None.**
- 6. Indicate the existing land use. **Freeway**  
What is the proposed land use? **Freeway**
- 7. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following: **N/A**
  - a. Has pre-zoning been completed? YES \_\_\_ NO \_\_\_
  - b. If the response to "a" is NO, is the area in the process of pre-zoning? YES \_\_\_ NO \_\_\_

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process. **N/A**

- 8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item: **N/A**
  - Agricultural Land Uses
  - Williamson Act Contract
  - Any other unusual features of the area or permits required: \_\_\_\_\_
  - Agricultural Preserve Designation
  - Area where Special Permits are Required

- 9. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract. **N/A**

- 10. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? **YES X NO \_\_\_** If YES, please explain.  
**The area will require emergency response services from the Apple Valley Fire Protection District, the City of Victorville and the San Bernardino County Fire Protection District.**

**ENVIRONMENTAL INFORMATION**

1. Provide general description of topography. **Flat desert freeway right-of-way.**
2. Describe any existing improvements on the site as % of total area.  
Residential **0%**                      Agricultural **0%**  
Commercial **2%**                      Vacant **0%**  
Industrial **0%**                      Other **98%**
3. Describe the surrounding land uses:  
NORTH              **Undeveloped desert land.**  
EAST                **Undeveloped desert land.**  
SOUTH              **Undeveloped desert land.**  
WEST                **Undeveloped desert land, County landfill and one commercial building (Osborne Pipe and Supply).**
4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).  
**None**
5. Will service extensions accomplished by this proposal induce growth on this site? YES \_\_\_  
**NO X** Adjacent sites? YES \_\_\_ **NO X** Unincorporated \_\_\_ Incorporated \_\_\_
6. Is this project a part of a larger project or series of projects? YES \_\_\_ **NO X** If YES, please explain.

**NOTICES**

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME **Douglas L. Qualls, Fire Chief** TELEPHONE NO. **760.247.7618**

ADDRESS: **22400 Headquarters Drive, Apple Valley, CA 92307**

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**CERTIFICATION**

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief. I understand that if this proposal is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

DATE 10/14/09

  
SIGNATURE OF APPLICANT

**Douglas L. Qualls, Fire Chief**

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- CITY INCORPORATION SUPPLEMENT
- FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ACTIVATION OF LATENT POWERS SUPPLEMENT

APPLICATION TO BE SUBMITTED TO:

LOCAL AGENCY FORMATION COMMISSION  
215 NORTH D STREET, SUITE 204  
SAN BERNARDINO, CA 92415-0490  
PHONE: (909) 383-9900 • FAX: (909) 383-9901  
E-MAIL ADDRESS: lafco@lafco.sbcounty.gov

## SUPPLEMENT SPHERE OF INFLUENCE CHANGE

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific sphere of influence change proposal to allow the Commission, staff and others to adequately assess the project. You may also include any additional information that you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please provide an identification of the agencies involved in the proposed sphere of influence change(s):

SPHERE EXPANSION

1 )Apple Valley Fire Protection District

2) San Bernardino County FPD

SPHERE REDUCTION

Apple Valley Fire Protection District

2. Provide a narrative description of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)

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

**The area includes the I-15 Freeway corridor and its right-of-way area (Cal Trans right-of-way). The one parcel within the reorganization area (along the Stoddard Wells Road/Bell Mountain west side off/on ramp) currently has a regional commercial land use designation within the City.**

The present and probable need for public facilities and services in the area.

**Fire and Rescue services are currently required and will continue to be provided along the freeway corridor.**

The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide.

**The Apple Valley Fire Protection District and the San Bernardino County Fire Protection District currently have adequate services available to serve the area.**

The existence of any social or economic communities of interest in the area.

**The division of the Fire Authorities along municipal boundaries supports the community definition for the area. The centerline of the freeway within the area defines the existing division between the Town of Apple Valley and the City of Victorville,**

3. If the proposal includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425)

**N/A**

4. If the proposal includes a special district sphere of influence change, provide a written statement: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Section 56425(i))

**Both the Apple Valley FPD and the San Bernardino County FPD provide fire suppression and rescue related services to these areas.**

5. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430):

- a. Growth and population projections for the affected area.  
**Growth and population projections within the affected areas are not applicable as these are Cal Trans right-of-ways for future use by Cal Trans.**
- b. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.  
**The present capacity of services to this area is adequate. The annexation of the areas would have negligible effect on any existing services as the two affected fire agencies already provide service to these areas.**
- c. Financial ability of agencies to provide services.  
**Since both fire agencies affected already provide emergency fire and rescue service to the I-15 Freeway in this immediate area, there would be no additional fiscal impact on the agencies.**
- d. Status of, and opportunities for, shared facilities.  
**The nominal size of this expansion area does not warrant physical shared facilities.**

- e. Accountability for community service needs, including governmental structure and operational efficiencies.  
**There will be opportunities to revisit and modify existing mutual aid agreements for service to this area to assure greatest response efficiency for the public traveling along the I-15 Freeway.**

The narrative description shall be signed and certified by an official of the agency(s) involved with the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.

**CERTIFICATION**

I hereby certify that the statements furnished above present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 10-14-09

  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

Douglas C. Qualls  
\_\_\_\_\_  
PRINTED NAME

Fire Chief  
\_\_\_\_\_  
TITLE

SUPPLEMENT  
ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the Commission, staff and others to adequately assess the project. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO <u>Apple Valley FPD</u>	DETACHED FROM <u>Apple Valley FPD</u>
<u>San Bernardino County FPD</u>	_____
<u>and its North Desert Service Zone</u>	_____

2. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

Yes, a fire suppression special tax is levied on all parcels within the District for the funding of fire and emergency medical/rescue (paramedic) service. See attached sheet for current, Special Tax rates.

3. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

No

4. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

Not applicable. The one parcel within the reorganization area is designated as commercial. The rest of the area is within the I-15 Freeway corridor right-of-way area

5. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

1. A description of the level and range of each service to be provided to the affected territory.

**The Apple Valley Fire Protection District will provide the following emergency services on a full time 24 hour/7 days a week basis:**

- a. **Emergency medical care**
- b. **Response to traffic accidents and rescues**
- c. **Structure fires**
- d. **Hazardous conditions**
- e. **All other 9-1-1 emergency services which we provide routinely to the citizens of Apple Valley**

2. An indication of when the service can be feasibly extended to the affected territory.

**The Apple Valley Fire Protection District has been providing emergency services to the affected territory for a number of years. The entire area of the proposed annexation is currently in AVFPD's response plan and our emergency dispatch system.**

3. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.

**This is non-applicable to our application for annexation of the affected territory as the Apple Valley Fire Protection District has no land use authority which would require improvements or upgrades to any type of public infrastructure.**

4. The estimated cost of extending the service and a description of how the service or required improvements will be financed. A discussion of the sufficiency of revenues for anticipated service extensions and operations is also required.

**The Apple Valley Fire Protection District currently provides emergency services to the proposed annexation area. The costs of these emergency services are already included in our current budget. There will be no new or additional cost to the AVFPD for the affected territory of the proposed annexation.**

**In the proposed annexation area the Apple Valley Fire Protection District responded to approximately six calls most of which were traffic accidents. The Fire District has the ability to fee for emergency response to traffic accidents and in the future may do so.**

5. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.

**One parcel of the proposed annexation area, APN 0472-224-01, is currently under the Victorville Fire Protection District tax rate area 21073. This is a five-acre parcel of land on the southeast corner of Stoddard Wells Road and Interstate 15. This parcel would bring approximately \$162.73 per year in additional revenue to the Apple Valley Fire Protection District between property taxes and Apple Valley Measure V tax.**

6. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

**This item is non-applicable to our proposed annexation area as the Apple Valley Fire Protection District has no authority as a water retailer anywhere within Apple Valley. We believe the Apple Valley Ranchos Water Company is the water retailer for the proposed annexation.**

CERTIFICATION

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 10-14-09



\_\_\_\_\_  
SIGNATURE OF APPLICANT

**EXHIBIT A**  
**RESOLUTION #09-002**  
**SCHEDULE OF SPECIAL TAX RATES**  
**FOR FISCAL YEAR 2009-2010**

<u>Categories of Special Tax:</u>	<u>Old Rate</u> <u>2008-2009</u>	<u>New Rate</u> <u>2009-2010</u>
<b>A. Vacant Land:</b>		
0-10 Acres	\$ 18.25	\$ 18.62
10.01 - 24.99 Acres	\$ 46.23	\$ 47.16
25 or More Acres	\$ 74.22	\$ 75.70
<b>B. Residences per dwelling unit (a single-family residence, individual apartment unit, condominium or mobile home).</b>		
	\$ 57.21	\$ 58.35
<b>C. Commercial (including industrial, manufacturing, mercantile, wholesale/retail, churches, private schools, etc.).</b>		
0 - 5,000 Square Feet	\$164.25	\$167.54
5,001 - 20,000 Square Feet	\$243.33	\$248.20
20,001 - 50,000 Square Feet	\$364.99	\$372.29
50,001 Square Feet or More	\$486.63	\$496.36
<b>D. Others (including agricultural buildings and privately owned light aircraft T-hangars) per building/unit.</b>		
	\$ 48.66	\$ 49.63

**NOTE:** The above rates are exclusive of any San Bernardino County processing fees.