

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: NOVEMBER 6, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #5: LAFCO 3221 – Annexation to the Lake Arrowhead
Community Services District (APN 0336-111-04)

INITIATED BY:

Resolution of the Board of Directors of the Lake Arrowhead Community Services
District

RECOMMENDATION:

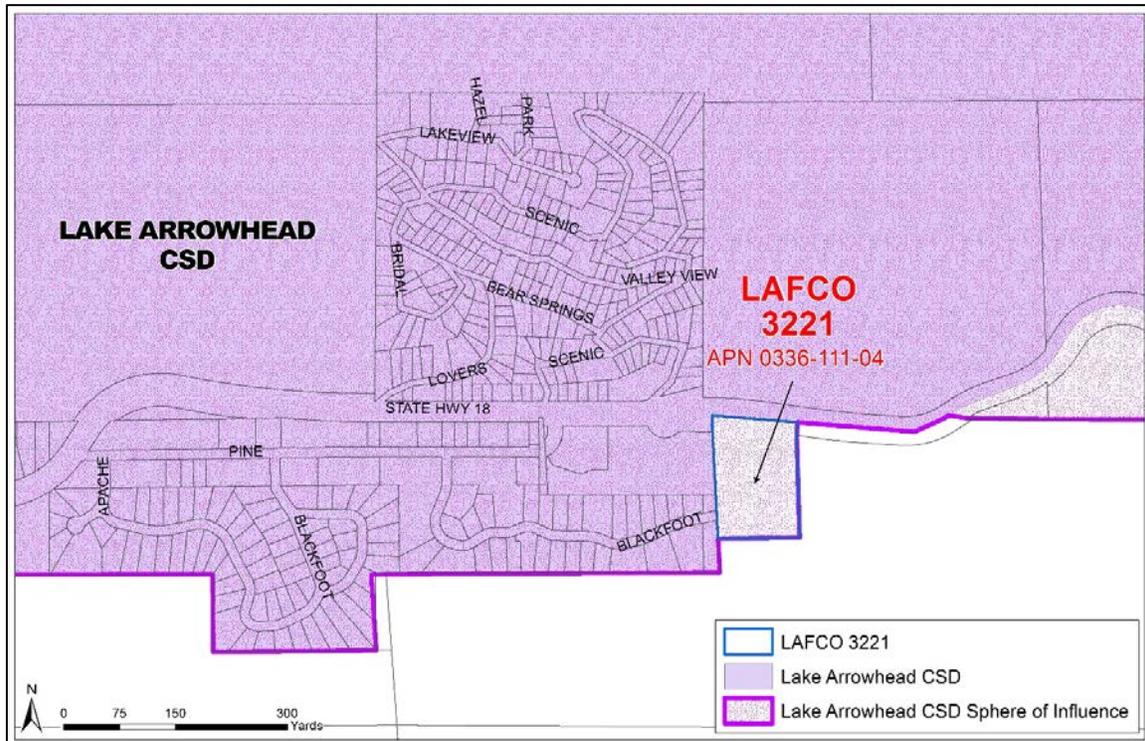
The staff recommends that the Commission approve LAFCO 3221 by taking the
following actions:

1. For environmental review, certify that LAFCO 3221 is statutorily exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3221, with the condition for the “hold harmless” clause for potential litigation costs, continuation of fees, charges, assessments, etc.;
3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the annexation; and,
4. Adopt LAFCO Resolution #3252, setting forth the Commission’s determinations and conditions of approval concerning LAFCO 3221.

BACKGROUND:

In June 2017, the Lake Arrowhead Community Services District (hereinafter the “District”) initiated an annexation application—with 100% landowner consent—to annex

approximately 3.17 acres into the District. The annexation area includes Assessor Parcel Number (APN) 0336-111-04, which is adjacent to the District's boundary generally located on the eastern edge of the community of Rim Forest, within the District's sphere of influence. Location and vicinity maps are included as Attachment #1 to this report. The map below provides a general location of the area to be annexed into the District.



The primary reason for the annexation request is to provide water and wastewater services to Tentative Parcel Map (TPM) 15111, which is a proposal to subdivide the parcel into three (3) single-family residential lots. The conditions of approval placed upon this project include the requirement to connect to the District's water and wastewater facilities prior to recordation of the final map (Conditions 26, 27, 28, and 29). A copy of the County's Conditions of Approval is included as Attachment #3 to this report.

The parcel is currently not within the District's boundary; therefore, annexation to the District is required in order to receive the required services.

This report will provide the Commission with the information related to the four major areas of consideration required for a jurisdictional change – boundaries, land uses, service issues and the effects on other local governments, and environmental considerations.

BOUNDARIES:

As outlined above, the annexation area includes APN 0336-111-04, which is located south of State Highway 18 and is generally bisected by Blackfoot Trail, which comprises approximately 3.17 acres. The annexation area is bounded by the National Forest on the east and south, parcel lines (existing District boundaries) on the west, and by State Highway 18 (existing District boundaries) on the north.

LAFCO 3221 has no boundary concern since annexation into the District is required in order to receive water and wastewater services from the District and completes the inclusion of the District's sphere of influence along its southern boundary.

LAND USE:

The parcel is currently vacant. The County's current General Plan land use designation for the parcel is LA/RS (Lake Arrowhead [community]/Single Residential, four dwelling units/acre), which provides sites for single-family residential uses and other compatible uses on individual lots. An aerial display of the general vicinity is shown below:



No change in land use is anticipated as a result of the annexation. In addition, approval of this proposal will have no direct impact on the current land use designation assigned for the parcel. Therefore, there are no land use concerns related to this proposal.

SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. The only County service provider within the annexation area is County Service Area 70 (multi-function entity). In addition, the following entities overlay the annexation area: Mojave Desert Resource Conservation District, Crestline-Lake Arrowhead Water Agency (State Water Contractor), Rim of the World Park and Recreation District, San Bernardino Mountains Community Healthcare District, San Bernardino County Fire Protection District (SBCFPD), SBCFPD Mountain Service Zone, and SBCFPD Service Zone PM-1 (paramedic).

The application includes a plan for the extension of water and wastewater services to the parcel as required by law and Commission policy (included as part of Attachment #2 to this report). The Plan for Service indicates that water and wastewater services will be provided to the each of the three residential lots through the District’s existing water and wastewater facilities in and around Blackfoot Trail.

The District has identified all costs related to the extension of water and wastewater services to TPM 15111. The following is the breakdown of those charges:

Connection fees	\$34,299
Water capacity fees	\$15,625
Wastewater capacity fees	\$25,884
Total fees	\$75,808

In addition, the property owner will be responsible for all costs related to extending water and wastewater to the three lots, estimated to be \$139,300.

As required by Commission policy and State law, the Plan for Service shows that the extension of its services will maintain, and/or exceed, current service levels provided to the parcel.

ENVIRONMENTAL CONSIDERATIONS:

As the CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson from Tom Dodson and Associates, has indicated that the review of LAFCO 3221 is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the fact that the annexation will not result in any physical impacts on the environment. Therefore, the proposal is exempt from the requirements

of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). It is recommended that the Commission adopt the General Rule Statutory Exemption for this proposal. A copy of Mr. Dodson's analysis is included as Attachment #5 to this report.

WAIVER OF PROTEST PROCEEDINGS:

The annexation area is legally uninhabited and LAFCO staff verified that the study area possesses 100% landowner consent to the annexation (see Attachment #4). Therefore, if the Commission approves LAFCO 3221 and none of the affected agencies have submitted written opposition to a waiver of protest proceedings, staff is recommending pursuant to Government Code Section 56662(d) that protest proceedings be waived and that the Executive Officer be directed to complete the action following completion of the mandatory reconsideration period of 30-days.

CONCLUSION:

LAFCO 3221 was submitted to provide water and wastewater services to APN 0336-111-04, which is proposed to be subdivided into three (3) single-family residential lots. The parcel is not currently within the District's boundary; therefore, annexation to the District is required in order for the receipt of water and wastewater services. For these reasons, and those outlined throughout the staff report, the staff supports the approval of LAFCO 3221.

DETERMINATIONS:

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/annexation proposal:

1. The annexation area is legally uninhabited containing no registered voter as determined by the Registrar of Voters as of September 15, 2017.
2. The County Assessor's Office has determined that the total assessed valuation of land within the annexation area is \$81,600 as of July 21, 2017.
3. The annexation area is within the sphere of influence assigned the Lake Arrowhead Community Services District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Mountain News*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.

5. LAFCO staff has provided individual notice to landowners and registered voters surrounding the reorganization area (totaling 136 notices) in accordance with State law and adopted Commission policies. Comments from landowners and any affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.
6. The County's land use designation for the annexation area LA/RS (Lake Arrowhead/Single Residential). No change in land use is anticipated as a result of the annexation.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3221 has no direct impact on SCAG's Regional Transportation Plan. The Sustainable Communities Strategy includes strategies, among others, that support housing development. Approval of LAFCO 3221 supports this strategy.
8. The Commission's Environmental Consultant, Tom Dodson and Associates, has recommended that this proposal is statutorily exempt from environmental review based on the finding that the Commission's approval of the annexation has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). Mr. Dodson recommends that the Commission adopt the Statutory Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days. A copy of Mr. Dodson's response letter is included as Attachment #5 to this report.
9. The annexation area is served by the following local agencies:
 - County of San Bernardino
 - Mojave Desert Resource Conservation District
 - Crestline-Lake Arrowhead Water Agency (State Water Contractor)
 - Rim of the World Park and Recreation District
 - San Bernardino Mountains Community Healthcare District
 - San Bernardino County Fire Protection District (SBCFPD)
 - SBCFPD Mountain Service Zone
 - SBCFPD Service Zone PM-1
 - County Service Area 70 (unincorporated County-wide multi-function agency)

None of these agencies are affected by this proposal as they are regional in nature.

10. A plan was prepared for the extension of water and wastewater services to the annexation area, as required by law. The Plan for Service indicates that the District can provide water and wastewater services to TPM 15111 and can maintain and/or improve the level of service currently available. A copy of this plan is included as a part of Attachment #2 to this report.

The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service conform to those adopted standards and requirements.

11. The annexation can benefit from the availability and extension of water and wastewater services from the District.
12. With respect to environmental justice, the annexation proposal—which is to provide water and wastewater services to the three lots proposed for development—will not result in the unfair treatment of any person based on race, culture or income since all of the neighboring area already receive water and wastewater services from the District.
13. The County of San Bernardino adopted a resolution determining there will be no transfer of property tax revenues. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
14. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards.

KRM/sm

Attachments:

1. Vicinity Maps for the Annexation Proposal
2. Lake Arrowhead Community Services District Application and Plan for Service
3. County's Conditions of Approval for TPM 15111
4. Landowner Consent Form
5. Tom Dodson's Environmental Response for LAFCO 3221
6. Draft Resolution No. 3252