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

PROPOSAL NO.: LAFCO 3230

HEARING DATE: May 15, 2019

RESOLUTION NO. 3287

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3230 AND APPROVING THE SPHERE OF INFLUENCE REDUCTION FOR COUNTY SERVICE AREA 120 TO A ZERO SPHERE (reduction of approximately 8,972 acres).

On motion of Commissioner Bagley, duly seconded by Commissioner MCCallon, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, an application for the proposed sphere of influence amendment in San Bernardino County was initiated by the Local Agency Formation Commission (hereinafter referred to as "the Commission") for County Service Area 120 and was filed by the Executive Officer of the Commission in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

WHEREAS, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, the public hearing by this Commission was called for May 15, 2019 at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written support and opposition; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing; and,

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that the sphere of influence reduction to zero is statutorily exempt from CEQA and such exemption was adopted by this Commission on

May 15, 2019. The Commission directed its Executive Officer to file a Notice of Exemption within five working days with the San Bernardino County Clerk of the Board of Supervisors; and,

WHEREAS, based on presently existing evidence, facts, and circumstances presented to and considered by this Commission, it is determined that the sphere of influence for County Service Area 120 should be reduced to a zero sphere of influence; as more specifically described on the attached Exhibit "A" to this resolution;

WHEREAS, the Commission determined that the proposed sphere of influence amendment, submitted under the provisions of Government Code Section 56428, does not require a service review; and,

WHEREAS, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy:

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

   The existing uses within the boundaries of County Service Area 120 include open space uses and primarily rural residential development. Existing land use designations include Open Space (OS), Floodway (FW), Rural Living (RL-10 and RL-5), Single Residential (RS-1) and Special Development-Residential (SD-RES) under the County's General Plan. The City of Ranch Cucamonga assigns the area within its sphere of influence the following land use designations: Open Space, Open Space Hillside Residential, Open Space Flood Control/Utility Corridor, and Open Space conservation. The City of Fontana assigns its portion as Open Space. The area includes mitigation lands deeded to County Service Area 120, with the County of San Bernardino holding the conservation easements. No agricultural land uses are designated within County Service Area 120's current sphere of influence.

   Based on population and dwelling unit forecast figures from the U.S. Census Bureau and ESRI, County Service Area 120 is estimated to be home to 1,139 residents. By 2023, population is projected to grow to approximately 1,260, an annual increase of 2.04 percent. In 2018, County Service Area 120 has 319 estimated number of dwelling units, with an additional 33 units expected by 2023.

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

   The sphere of influence amendment proposes to reduce the sphere of influence for County Service Area 120 to a zero sphere of influence due to financial and operational constraints. LAFCO Resolution No. 3190 outlines the concerns regarding the current and future adequacy of service and the rationale for that determination. No information subsequent to the issuance of LAFCO Resolution 3190 has altered the determinations. A zero sphere of influence signals the Commission's position that a future change of organization should occur, transferring the service obligation to another agency.

3. **The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide:**

   County Service Area 120 is currently authorized to provide open space and habitat conservation. The need for public facilities and services within County Service Area 120 is limited. Since County Service Area 120 has been unable to receive approval of its designation to acquire additional mitigation properties, the probable need for this service is not present as no new service can be extended. However, there are other agencies which could provide this service in the future.

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

   County Service Area 120 provides for the management of mitigation lands within a specific type of habitat. Therefore, its community of interest comprise the foothill communities of the San Gabriel Mountains which support the endangered species identified by local, state and federal wildlife agencies. This determination is compromised by the lack of authorization for County Service Area 120 to acquire additional habitat lands.

5. **Additional Determinations**

   - Legal notice of the Commission's consideration of the sphere establishment has been provided through publication of a 1/8th page legal advertisement in *The Inland Daily Bulletin,* a newspaper of general circulation in the area.

   - Individual notices were provided to all affected and interested agencies, County departments and those individuals and agencies requesting special notice.

WHEREAS, pursuant to the provisions of Government Code Section 56425(i), the range of services provided by County Service Area 120 shall be limited to the following:

FUNCTIONS	SERVICES
Open space and habitat conservation	Open space and habitat conservation including, but not limited to, the acquisition, preservation, maintenance, and operation of land to protect unique, sensitive, threatened, or endangered species, or historical or culturally significant properties. Any setback or buffer requirements to protect open-space or habitat lands shall be owned by a public agency and maintained by the county service area so as not to infringe on the customary husbandry practices of any neighboring commercially productive agricultural, timber or livestock operations

WHEREAS, having reviewed and considered the determinations as outlined above, the Commission determines to designate a zero sphere of influence for County Service Area 120.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission for San Bernardino County, State of California, that this Commission shall consider the territory described in Exhibit "A" for County Service Area 120 to have a zero sphere of influence, it being fully understood that the amendment of such spheres of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:

AYES: COMMISSIONERS: Bagley, Cox, Curatalo, Lovingood, McCallon, Dennison

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Warren (Dennison voting in her stead)

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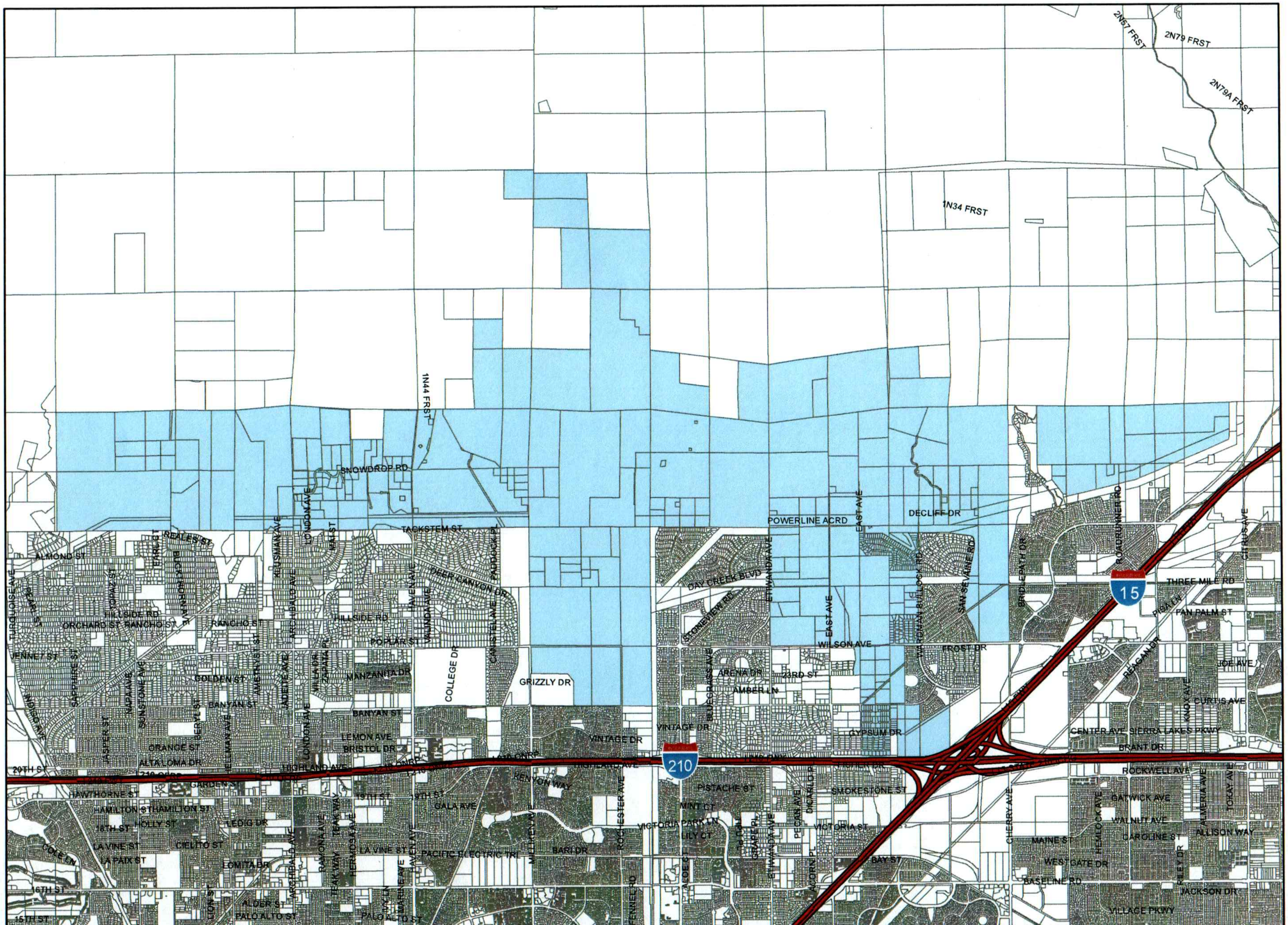
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of May 15, 2019.

DATED: May 16, 2019

SAMUEL MARTINEZ
Executive Officer

EXHIBIT "A"



Sphere of Influence for County Service Area 120

County Service Area 120 (Zero Sphere of Influence)

LAFCO

Disclaimer: The information shown is intended to be used for general display only and is not to be ised as an official map.

0 950 1,900 3,800 Yards

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Author: Jeffrey Lum Map Created: 5/6/2019

EXHIBIT "A"