LAFCO 3193-3194

Notice of Filing Attachments:

Application

3193-3194

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SAN BERNARDINO LAFCO
APPLICATION 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 San Bernardino LAFCO, 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: Phelan Piñon Hills Community Services District Sphere of Influence Amendment (Expansion) and Reorganization to Include Annexation of Selected Properties into the Phelan Piñon Hills Community Services District and Detachment from County Service Area 70 Zone P-6

2. NAME OF APPLICANT: Phelan Piñon Hills Community Services District (CSD)

   MAILING ADDRESS: 4176 Warbler Road
   Phelan, CA 92371

   PHONE: (760) 868-1212

   FAX: (760) 868-2323

   E-MAIL ADDRESS: dbartz@pphcsd.org

3. GENERAL LOCATION OF PROPOSAL:

   The Phelan Piñon Hills CSD's sphere of influence (SOI) expansion proposal includes an area located within the unincorporated San Bernardino County, adjacent to the existing CSD's northern boundary. The annexation would also require an expansion of the existing CSD sphere of influence boundary and would include five properties within the SOI expansion area: 0457-102-06, 0457-102-10, 0457-112-01, 0457-161-10, and 0457-102-09.

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.

   The Phelan Piñon Hills CSD obtained ownership of former dairy farm lands for additional water rights. Currently, property taxes of $29,264 are being paid for these properties that are outside of the current CSD boundary. One parcel is still in the process of being transferred to Phelan Piñon Hills CSD ownership. Upon the transfer, the Phelan Piñon Hills CSD property taxes would become $31,359. Upon expansion of the CSD's Sphere of Influence and annexation of the five (5) subject properties into the district, the

CSD can apply for property tax exempt status since these parcels would be within a governmental boundary. Also, the CSD would be able to provide a higher level of services to the annexation area for management of collection, transfer, and disposal of solid waste and parks and recreation, and would extend water service and street lighting service under the appropriate economic conditions only when extension of these services would be feasible.

6. Would the proposal create a totally or substantially surrounded island of unincorporated territory? YES _X__ NO If YES, please provide a written justification for the proposed boundary configuration.

The annexation of the five (5) subject properties are only for the purposes of additional water rights for the PPHCSD and not for the purpose of development or urbanization.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area (defined in acres):

Estimated acres in the proposed sphere expansion/reorganization area totals 2.078.

2. Current dwelling units in area classified by type (Single Family detached, multi-family (duplex, four-plex, 10-unit), apartments)

Census 2010 estimated four (4) single family detached housing units for the sphere expansion/reorganization area.

3. Approximate current population in area:

U. S. Census 2010 total estimated population in the proposed sphere expansion/reorganization area is six (6).

4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):

Not applicable

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):

Agriculture
Industrial
Rural Living-5 (5 acre minimum lot size)
Rural Living (2.55 acre minimum lot size)

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:

Not applicable

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6. Indicate the existing land use.

Dairy – 157 acres
Field Crops – 240 acres
Heavy Industrial – 112 acres
Misc. Residential Structure – 5 acres
Stable – 5 acres
Vacant Land – 1.195 acres
Water Well Site – 364 acres

What is the proposed land use?

No proposed land use changes although the Dairy is no longer operating and the property will be used to provide water rights to PPHC SD.

7. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

Not applicable

a. Has pre-zoning been completed? YES ___ NO _X_
b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ___ NO _X_

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.

Not applicable

8. 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 ___ NO X If YES, please explain.

_____

_____

_____

9. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

X Agricultural Land Uses ☐ Agricultural Preserve Designation
☐ Williamson Act Contract ☐ Area where Special Permits are Required
☐ Any other unusual features of the area or permits required: _____

_____

10. 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.

No Williamson Act Contracts exist within the sphere expansion/reorganization area, according to the Williamson Act map of San Bernardino County (north) from the California Department of Conservation, Division of Land Resource Protection.

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11. Provide a narrative response to the following factor of consideration as identified in §56668(o): *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:*

The Phelan Piñon Hills CSD currently practices environmental justice in providing the following four (4) public services within its existing boundaries: 1) water; 2) solid waste management; 3) parks and recreation; and, 4) street lighting. The CSD will continue to practice the principals of environmental justice upon annexation into the CSD.

Currently, the CSD provides domestic water and water quality services to residents within the CSD boundaries, except for residents or businesses within the Sheep Creek Mutual Water Company boundary. These services are not anticipated to be extended to the properties within annexation area. However, if they are extended, it would only be under the proper economic and development conditions, and would be the cost responsibility of the affected property owners.

Phelan Piñon Hills CSD provides street lighting in the business district and on selected public rights-of-way and intersections generally in and around the downtown Phelan area. While the annexation area will have access to the street lighting services that the Phelan Piñon Hills CSD operates, no street lighting services are anticipated to be provided at this time. These services would only be extended under the proper economic and development conditions, and with future residents of these areas subject to any applicable costs.

ENVIRONMENTAL INFORMATION

1. Provide general description of topography.

The sphere expansion/reorganization area is located in a relatively level area of the High Desert region in San Bernardino County.

2. Describe any existing improvements on the site as % of total area.

Residential	0.00%	Agricultural	0.001%
Commercial	0.00%	Vacant	0.00%
Industrial	1.10%	Other	0.80%

3. Describe the surrounding land uses:

NORTH Agricultural and Vacant

EAST Residential and Vacant

SOUTH Vacant

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WEST Residential and Vacant

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.).

5. Will service extensions accomplished by this proposal induce growth on this site? YES ___ NO X Adjacent sites? YES ___ NO X Unincorporated ___ Incorporated ___

6. Are there any existing out-of-agency service contracts/agreements within the area? YES X NO ___ If YES, please identify.

The proposed sphere expansion/reorganization area currently relies on San Bernardino County Solid Waste Management Division (SWMD) under contract with AVCO/Burrtec for solid waste disposal services, source reduction, recycling and composting activities. The Phelan Piñon Hills CSD contracts with CR&R to provide these same services within the Phelan Piñon Hills CSD boundary. After the annexation, the Phelan Piñon Hills CSD would arrange for the waste handling services within the proposed annexation area within the legislatively specified time period.

7. Is this project a part of a larger project or series of projects? YES ___ NO X If YES, please explain.

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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 Don Bartz, General Manager TELEPHONE NO. (760) 868-1212

ADDRESS: 4176 Warbler Road
Phelan, CA 92371

CERTIFICATION

As a part of this application, the Phelan Piñon Hills Community Services District (the applicant) agrees to defend, indemnify, hold harmless, and release the San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I/We understand that if this application 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.

As the proponent, I/We acknowledge that annexation to the Phelan Piñon Hills Community Services District may result in the imposition of taxes, fees, and assessments existing within the district on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIIIC and XIIID of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

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.

DATE 6/22/2015

D-R
SIGNATURE OF APPLICANT

DON BARTZ
PRINTED NAME OF APPLICANT

GENERAL MANAGER
TITLE

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PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ☒ ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- ☒ SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- ☐ CITY INCORPORATION SUPPLEMENT
- ☐ FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ☐ ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

KRM-Rev. 8/15/2012