

**LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO**

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DATE: JANUARY 7, 2005
FROM: SAMUEL MARTINEZ, LAFCO Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #8: LAFCO SC#245 – City of Redlands OSC 04-30 for Water and Sewer Service (0298-221-55)

INITIATED BY:

City of Redlands, on behalf of property owner

RECOMMENDATION:

1. For environmental review, take the following actions as a responsible agency:
 - Certify that the Commission has reviewed and considered the environmental assessment and the Negative Declaration prepared by the County of San Bernardino for Tentative Parcel Map (TPM) 15925 to create two (2) lots on 3.10 acres, and found them to be adequate for Commission use;
 - Determine that the Commission does not intend to adopt alternatives or mitigation measures for this project and that mitigation was not required for this project; and,
 - Direct the Clerk to file a Notice of Determination within five (5) days of this action.

2. Approve SC #245 authorizing the City of Redlands to extend water and sewer service outside its boundaries to the newly-created Assessor Parcel Number (APN) 0298-221-55, which is proposed for construction of 16 residential units on the parcel.

3. Adopt LAFCO Resolution #2858 setting forth the Commission’s findings, determinations and approval of the agreement for service outside the City of Redlands’ boundaries.

BACKGROUND:

The City of Redlands has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water and sewer service. TPM 15925 created two (2) lots on 3.10 acres - Parcel 1, which is 0.40 acres, has an existing single-family residential unit already served water from the City; and Parcel 2, which is 2.70 acres, is planned for the development of the 16 residential units. The agreement presented relates to Parcel 2 of the TPM (identified as APN 0298-221-55), which is located north of Nice Avenue generally east of Crafton Avenue and west of Ansley Lane, within the City’s eastern sphere of influence which encompasses the community known as “Mentone”. Attachment #1 provides a location and vicinity map of the site along with a map outlining the location of the infrastructure to be extended.

The City, on behalf of the property owner, has requested that the Commission review and approve the extension of services pursuant to the provisions of Government Code Section 56133. The property owner/developer is in the process of taking the steps necessary to construct sixteen (16) residential units on the 2.70-acre parcel. Based on the proposed development, the plan includes the construction of eight (8) duplex-structures, with each structure having two (2) residential units, for a total of 16 units. Aside from vehicular access to each residential unit, all units will have common landscape grounds, a play area, and guest parking.

The County Land Use Services Department processed the approval of TPM 15925. The Conditions of Approval placed upon this project includes the requirement that, prior to the issuance of building permits, the property owner/developer of Parcel 2 (APN 0298-221-55) must install the infrastructure necessary to connect to the City of Redlands’ water and sewer facilities or have made financial arrangements with the City to serve water and sewer to proposed project (Conditions 40 & 41). A copy of the Conditions of Approval is included as Attachment #3 to this report.

The City’s application indicates that water and sewer service will be provided to each of the new 16 residential units. The water main will be extended by approximately 581 feet along Nice Avenue from Crafton Avenue to the east side of the property. The sewer main is available in Nice Avenue and sewer laterals will be installed to each residential unit.

Pursuant to the Commission’s application requirements for service contracts, information has been provided regarding all financial obligations for the extension of services outside the agency’s boundaries. The provisions of

Measure U within the City of Redlands require that the developer pay an amount equivalent to all development fees of the City as a condition for access to water and sewer service. The City has indicated that the following amounts are required from the developer prior to extension of water and sewer facilities:

Water Source Acquisition Charge	\$405 x 16 units	\$6,480
Water Capital Improvement Charge	\$2,250 x 16	\$36,000
Sewer Capital Improvement Charge	\$3,080 x 16	\$49,280
Sewer Main Frontage Charge (per feet)	\$17 x 266 feet	\$4,522
Solid Waste	\$325 x 16	\$5,200
Public Improvement		
Storm Drain	\$1,592 x 16	\$25,472
Street Improvement	\$3,852 x 16	\$61,632
Traffic Signal	\$261 x 16	\$4,176
Public Facilities	\$3,538 x 16	\$56,608
Parks	\$1,183 x 16	\$18,928
TOTAL		\$268,298

In addition, the property owner/developer shall be required to install an 8-inch diameter water main in Nice Avenue (from the existing water main in Crafton Avenue to the easterly boundary of the parcel), as well as provide fire hydrants as required by the County Fire Marshal, at the owner’s/developer’s expense. Future occupants of the residential units will be charged 1.5 times the in-city monthly rate for water and sewer service. The higher rate charged to outside customers is intended to help offset the costs for service delivery outside the City’s boundaries since the residents do not provide property tax support to the City.

Authorization of this agreement by the Commission is required before the City can take the final actions to implement the terms of the agreement. Therefore, staff supports the City’s request for authorization to provide water and sewer service to the proposed development of the 16 residential units since its facilities are either adjacent or close-by the anticipated development, and there is no other existing entity within the area that can provide these services to the project area.

FINDINGS:

1. The project (Parcel 2 of TPM 15925) identified as APN 0298-221-55, is within the sphere of influence assigned the City of Redlands. The requirement to receive water and sewer service from the City is a condition of approval placed upon the project by the County Land Use Services Department - which requires either the installation of the necessary infrastructure or that financial arrangements with the City for service has been made, prior to the issuance of building permits.

Therefore, approval of the City's request for authorization to provide water and sewer service is necessary to satisfy this condition of approval.

2. The application requests authorization to receive City of Redlands water and sewer service. The contract, City of Redlands OSC 04-30, is being considered for the provision of water and sewer service to APN 0298-221-55 located north of Nice Avenue between Crafton Avenue and Ansley Lane. This contract will remain in force in perpetuity or until such time as the area is annexed.

The City's processing of OSC 04-30 included the preparation of a Socio-Economic Impact Study for the Agreement which included an environmental assessment for the project. This analysis determined that there were no adverse financial or environmental effects from extending these services. Approval of this application will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water and sewer service.

3. The fees charged this project by the City of Redlands for water and sewer service are identified as totaling \$268,298 (for a breakdown of charges, see table on page 3). Payment of these fees is required prior to connection to the City's water and sewer facilities.

Also, the property owner/developer shall be required to install an 8-inch diameter water main in Nice Avenue (from the existing water main in Crafton Avenue to the easterly boundary of the parcel), as well as provide fire hydrants as required by the County Fire Marshal, at the owner's/developer's expense.

4. In February and March 2003, acting as the CEQA lead agency, the County prepared an environmental assessment for TPM 15925. The assessment indicates that the project would not have a significant effect on the environment through its development under the County's Conditions of Approval.

LAFCO's Environmental Consultant, Tom Dodson and Associates, has reviewed the County's initial study and Negative Declaration issued for the TPM. Mr. Dodson's analysis indicates that the County's initial study and Negative Declaration are adequate for the Commission's use as CEQA responsible agency. The Commission will not be adopting alternatives or mitigation measures for this development; no mitigation is required for the project. Attachment #4 provides a copy of Mr. Dodson's response and recommendation regarding the Commission's review and necessary actions to be taken.

KRM/sm

Attachments:

1. Vicinity Map and Map of the Contract Area
2. City of Redlands' Application and Contract
3. County Conditions of Approval for TPM 15925
4. Tom Dodson and Associates Response including the County's Environmental Documents for TPM 15925
5. Draft Resolution #2858