

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: October 7, 2002
FROM: KATHLEEN ROLLINGS-McDONALD, Deputy Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: Agenda Item 6 – Yucaipa Valley Water District Annexation –
Dickinson (Riverside County)**

INITIATED BY:

Property Owner Petition

RECOMMENDATION:

1. Certify that the annexation to the Yucaipa Valley Water District is statutorily exempt from environmental review and direct the Clerk to file the Notice of Exemption within five days.
2. Approve LAFCO 2910 – Yucaipa Valley Water District Annexation.
3. Waive protest proceedings, as permitted by Government Code Section 56663(c), with 100% landowner support and concurrence from the Yucaipa Valley Water District.
4. Adopt LAFCO Resolution #2753 setting forth the Commission's findings and determinations.

BACKGROUND:

LAFCO 2910 is a proposal to annex approximately 160 acres to the Yucaipa Valley Water District located in the Riverside County portion of Wildwood Canyon. San Bernardino LAFCO is responsible for review of this application as the "principal county" for actions affecting the Yucaipa Valley Water District. Principal county status is

conferred upon the county with the greater portion of the entire assessed value, as shown on the last equalized assessment roll, of all taxable property within the District.

The study area is generally located in the southeast quarter of Section 16, Township 2 South, Range 1 West. The site is generally south/southwest of Meadow View Lane, west of Mountain View Avenue, between the City of Calimesa and the community of Cherry Valley. The site is immediately east of the existing City of Calimesa boundaries but is not a part of that City's sphere of influence. Location and vicinity maps of the area are included in Attachment 1.

The existing use of the site is vacant land. The majority of the area is rugged hillside with a small flatland area located in the northeast corner of the parcel, immediately adjacent to existing residential development. The landowner has indicated that this flatland area will probably be proposed for the development of a few (5 or 6) homesites with the balance of the parcel retained as open space at some time in the future. The retention of the large area of open space is due to the rugged nature of the balance of the parcel. Surrounding land uses include: to the north is development of residential home sites under Tract 25344 (commonly known as Hidden Meadows); to the east is large lot residential uses and vacant lands along Mountain View Avenue within the Cherry Valley Community Plan area, to the south are scattered residential home sites and vacant lands; to the west, within the City of Calimesa, are vacant lands.

The County of Riverside General Plan includes this area within its Category IV Outlying area designation which establishes a minimum parcel size of 5 acres. However, the area also has a "Mountainous" designation which increases the minimum parcel size to 10 acres, allowing for a maximum of 16 home sites for the entire area if full development were contemplated. No specific development plan has been initiated by the landowner for this property and as noted above he has indicated a desire to create parcels within the northeastern flatland areas only.

The Yucaipa Valley Water District has indicated its willingness to serve the parcel through adoption of a resolution in support of the proposed annexation and through the preparation and certification of a Plan for Service as required by Commission policy and State law (copies included in Attachment #2). The District has provided the landowner with letters which indicate that the area was a part of "Assessment District 20" (assessment district created in 1978 to fund development of the sewage treatment plant and major infrastructure) and has paid its full assessment. Actual sewer facilities are approximately 2.9 miles from the site located along Wildwood Canyon Road within San Bernardino County. The District has noted that upon future extension of this service to the area, the residences will be required to connect to the sewer lines and pay the then existing fees pursuant to District Ordinance 49-1998 (copies of letter included within Attachment #2).

The Commission is the lead agency for environmental review of this proposed annexation and its environmental consultant, Tom Dodson and Associates, has reviewed the proposal. Mr. Dodson has presented a recommendation to the Commission for the adoption of a Statutory Exemption for the proposal as no change in the physical environment will take place through this action. A copy of Mr. Dodson's response is included as Attachment #3 to the report.

With verification by the County of Riverside that the area possesses 100% landowner consent and is legally uninhabited, the staff requested the District's concurrence to waive the protest proceeding for this proposal as allowed under Government Code Section 56663. The District has consented to this waiver, and there are no detaching agencies to seek affirmation from. Therefore, the staff is recommending that the Commission approve this proposal, waive further protest proceedings, and complete the action. A copy of the District's response and landowner consent are included as Attachment #4.

In conclusion, the staff would prefer to support inclusion of the developable areas as identified by the landowner within the District and exclude the area anticipated to be maintained as open space. However, this is a single parcel, which can not be split by jurisdictional boundaries; therefore, the staff supports the proposal as presented.

FINDINGS:

The following findings are required to be provided by Commission policy and Govt. Code Section 56841:

1. The subject 159.09 +/- acre area proposed for annexation has been certified by the Riverside County Registrar of Voters as being legally uninhabited, with 0 registered voters.
2. The County Assessor for Riverside County has indicated that the total value of land within the proposal area is \$138,000. It has been confirmed that the proposal possesses 100% landowner consent for annexation of the single parcel.
3. The area is a part of the Yucaipa Valley Water District's sphere of influence as defined by the Riverside County LAFCO.
4. Legal advertisement of the Commission's consideration has been provided through publication in *The Press Enterprise* and *The Yucaipa-Calimesa News Mirror*, newspapers of general circulation within the study area. Individual notice has been provided to those individuals and agencies having requested such notification. Also, individual notification to landowners and registered voters surrounding the annexation area has been provided as required by State law and Commission policy.

5. The County of Riverside County General Plan designates the area as Mountainous, Category IV, which allows one dwelling unit per 10 acres. The General Zoning of the area is “Controlled Development” with a Specific Zoning of “W-2”. The area is within a High Fire Hazard area and is under the restrictions imposed by Riverside County Ordinance 787 related to such hazard areas.
6. Upon annexation, the District will plan to extend their services as required by future land use decisions. The Plan for Service indicates that revenues generated through monthly service fees are anticipated to be sufficient to provide the level of service identified through the District. It is also noted that the landowner will be responsible for all costs associated with the extension of infrastructure to serve the site. Upon annexation, the District will work with the landowner to plan for the provision of water facilities, domestic and fireflow, to the property.
7. The Commission’s Environmental Consultant, Tom Dodson and Associates, has reviewed the change proposed for the Yucaipa Valley Water District and determined that it is statutorily exempt from environmental review (See Attachment #3). Mr. Dodson’s review indicates that the annexation to the Water District will have no potential to cause any physical change in the environment. No development is currently anticipated within the area; therefore, it will not alter the existing physical environment.

The necessary actions of the Commission as the lead agency are:

- a. Certify it has reviewed and found that the change is statutorily exempt from environmental review; and,
 - b. Direct the Clerk to file the Notice of Exemption within five days.
8. The area in question is presently served by the following public agencies:

County of Riverside
County Service Area 27 (Cherry Valley Streetlighting)
County Service Area 152 (non-functioning -- created for collection of NPDES
assessment requirements – failed at election)
County Structural Fire Protection District
East Valley Resource Conservation District
Summit Cemetery District
San Gorgonio Pass Water Agency

None of these agencies will be affected by the completion of this proposal.

9. The annexation proposal as submitted is consistent with adopted Commission policies and applicable state law.
10. The District has submitted a plan for services, as required by law and Commission policy (a part of Attachment #2). This plan indicates that the District will extend domestic and fireflow services to the annexation area upon submission and approval of development plans following completion of the annexation process.
11. All notices required by law have been provided. Individual notices to landowners and registered voters surrounding the annexation proposal have been provided in compliance with Commission policies. To date, no comments have been received from these individuals or agencies.
12. The County of Riverside and the Yucaipa Valley Water District have Master Property Tax Agreements in place (signed in 1983) that indicate there will be no exchange of property tax revenues based upon this change of organization.
13. The map and legal description are in substantial compliance with LAFCO and state standards through certification by the County of Riverside LAFCO office.

:KRM

Attachments:

- 1 - Maps of Proposal
- 2 - Application and Plan for Services
- 3 - Environmental Assessment – Tom Dodson & Associates
- 4 - District Resolution in Support of Proposal, Consent to Waiver of Protest Proceedings
- 5 - Draft LAFCO Resolution #2753