

PUBLIC HEARING ITEM

**LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: AUGUST 4, 2014

Proposal

Adoption of an Amendment to the Sphere of Influence for the Rincon del Diablo Municipal Water District
(SA13-47)

"Harmony Grove Village Reorganization" (County Service Area No. 107; Rincon del Diablo Municipal Water District)
(RO13-47)

Proponent

Property owner, by petition

Description/Justification

Proposed by petition of the landowner is a reorganization of four unincorporated parcels (totaling approximately 96.04-acres) that are part of the *Harmony Grove Village* residential development project area. The proposed reorganization is intended to consolidate the provision of fire protection and water services to the proposed development area by County Service Area (CSA) No. 107 (Elfin Forest/Harmony Grove Volunteer Fire Department) and the Rincon del Diablo Municipal Water District (MWD), respectively. Two of the parcels in the proposed reorganization area are involved in the fire protection service reorganization and are identified as *Proposal Area 1* (Map 1); the other two parcels within the proposal area comprise the water service reorganization and are identified as *Proposal Area 2* (Map 2).

The proposed reorganization involves detachment of Proposal Area 1 from the San Marcos Fire Protection District (FPD) and a concurrent annexation of the territory to CSA No. 107; and detachment of Proposal Area 2 from the Vallecitos Water District (WD) and a concurrent annexation of the territory to Rincon del Diablo MWD. The proposed reorganization territory is bordered by incorporated territory of the City of San Marcos to the north and the City of Escondido to the east, with rural, single-family residential uses in the surrounding unincorporated areas.

Harmony Grove Village

The County of San Diego has approved a Tentative Parcel Map (VTM5365) for a residential development called Harmony Grove Village that involves construction of 742 housing units over approximately 468-acres. Proposal Areas 1 and 2 are located within an approximate 84-acre northern portion of the Harmony Grove Village project area that is identified as Planning Area 3 - "*The Groves*". Approximately 50 single-family residential units are planned for Proposal Area 1; approximately 77 single-family residential units are planned for Proposal Area 2.

The County has adopted an Environmental Impact Report (EIR) for the Harmony Grove Village project (Log No. 04-08-011; SCH No. 2004071004) that identifies all potentially significant environmental impacts. The Rincon del Diablo MWD has indicated that capacity is available to extend public water services to the Harmony Grove Village development project territory. CSA No. 107 will provide fire protection services from a fire station to be constructed within the development

project area. The San Diego County Sanitation District (SD) will provide sewer services to the Harmony Grove Village project.

Proposal Area 1- Detachment from San Marcos FPD / Annexation to CSA No. 107

Two of the parcels within the proposed reorganization area (APNs 235-563-03, approximately 51.16-acres; and 235-563-11, approximately 5.50-acres) are currently located within the San Marcos FPD service area for the provision of structural fire protection and advanced life support (ALS) ambulance transport services. The remainder of the Harmony Grove Village development project area is presently located within the fire protection service area of CSA No. 107. The two parcels are proposed to be detached from the San Marcos FPD and annexed to CSA No. 107 for the provision of structural fire protection services only.

The proposed reorganization of the two parcels would consolidate the entire Harmony Grove Village development project area within the CSA's fire protection service area. Parcel -11 is owned by SDG&E and is not part of the Harmony Grove Village tentative map or project area; the parcel has been included in the proposed reorganization so that it will be consistent with the jurisdictional organization of the surrounding parcels following the proposed reorganization to CSA No. 107.

CSA No. 107 Transitional Sphere

The adopted sphere of influence for CSA No. 107 has been designated as a transitional (zero) sphere in anticipation of a future change of service responsibility to another public agency. No sphere amendment is required as part of the proposed reorganization to CSA No. 107. The service area for CSA No. 107 is primarily located within the adopted sphere of influence for the Rancho Santa Fe FPD; however, the proposed reorganization area and the portion of the CSA No. 107 service area that includes the Harmony Grove Village development project area are not located within the Rancho Santa Fe FPD sphere.

The Rancho Santa Fe FPD and CSA No. 107 are currently engaged in discussions regarding a potential reorganization/consolidation of the districts; however, the proposed Harmony Grove Village reorganization area will remain outside of the Rancho Santa Fe FPD sphere following the proposed annexation to CSA No. 107. If the two districts agree to a future consolidation, it is anticipated that the proposal area will be included into the Rancho Santa Fe FPD sphere and annexed to the FPD's service area along with the Harmony Grove Village development project area.

CSA No. 17 (San Dieguito Ambulance) currently provides ALS ambulance transport services within a service area and sphere that includes all of the Rancho Santa Fe FPD and a portion of CSA No. 107. The majority of the Harmony Grove Village project area is located within the adopted sphere of influence for CSA No. 17; however, the development project area is not presently located within the service area of an agency that provides ALS ambulance transport services. The development project area currently receives ALS ambulance transport services from CSA No. 17, San Marcos FPD, and the City of Escondido via mutual and automatic aid agreements with CSA No. 107.

A portion of Proposal Area 1 is not located within the CSA No. 17 sphere; therefore, if the Rancho Santa Fe FPD and CSA No. 107 are reorganized, CSA No. 17's sphere will need to be amended to include all of APN 235-563-03 so that the Harmony Grove Village development project area is entirely located within the CSA No. 17 sphere following the proposed reorganization to CSA No. 107.

Proposal Area 2 - Detachment from Vallecitos WD / Annexation to Rincon del Diablo MWD

The other two subject parcels within the reorganization area (APNs 235-563-02, approximately 38.37-acres; and 235-563-10, approximately 1.01-acres) are proposed to be detached from the

Vallecitos WD and annexed to the Rincon del Diablo MWD for the provision of water service. The parcels are not located within the adopted sphere of influence for Rincon del Diablo MWD; therefore, an amendment to the MWD's sphere is required concurrently with the proposed annexation.

The remainder of the Harmony Grove Village development project area is presently located within the Rincon del Diablo MWD service area and sphere; annexation of the two parcels would consolidate the entire development project area within the MWD's water service territory. Parcel -10 is owned by SDG&E and is not part of the Harmony Grove Village tentative map or project area; the parcel has been included in the proposed reorganization area so that it will be consistent with the jurisdictional organization of the surrounding parcels following the proposed reorganization to Rincon del Diablo MWD.

Conclusion and Recommendation

The proposed Harmony Grove Village reorganization territory is presently located within the San Marcos FPD for fire protection service and the Vallecitos WD for water service. The County of San Diego has approved development plans and associated environmental determinations for the proposal territory that designate CSA No. 107 and Rincon del Diablo MWD as the primary fire protection and water service providers, respectively. The proposed reorganization is intended to consolidate the provision of fire protection and water services to the proposal area consistent with the County's development approvals. The reorganization proposal has been initiated by the property owners and the subject districts have indicated willingness and ability to provide the designated services following annexation.

The Board of Supervisors has adopted a Master Enterprise District Resolution that will govern any property tax transfer resulting from the Vallecitos WD and Rincon del Diablo MWD jurisdictional changes; a negotiated property tax exchange will govern any property tax transfer between the San Marcos FPD and CSA No. 107. Therefore, it is recommended that the proposed "Harmony Grove Village Reorganization" be approved as proposed.

General Plan/Zoning:

County of San Diego General Plan: San Dieguito Community Plan: Specific Plan Area (SPA) – Harmony Grove Village

County of San Diego zoning: A-70 (Limited Agriculture) / S-88 (Specific Plan), 1 du/ 2-4 ac; 2 acre minimum lot size)

Location: North of Del Dios Highway; east of S. Twin Oaks Valley Road; south of SR-78; and west of I-15. (Thomas Bros. Page 1129).

Executive Officer Recommendation

- (1) Find in accordance with the Executive Officer's determination, that pursuant to Section 15320 of the State CEQA Guidelines, the reorganization is not subject to the environmental impact evaluation process because *the proposal consists of a change in organization of government agencies which does not change the area in which previously existing powers are exercised*; and

- (2) Amend the sphere of influence of the Rincon del Diablo Municipal Water District and adopt the written Statement of Determinations as shown in Exhibit A; and
- (3) Approve the reorganization involving detachment of Proposal Area 1 from the San Marcos Fire Protection District with concurrent annexation to County Service Area No. 107; and approve the detachment of Proposal Area 2 from the Vallecitos Water District with concurrent annexation to Rincon del Diablo Municipal Water District; and,
- (4) Adopt the form of resolution approving this minor sphere amendment and reorganization for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following conditions:

<u>Vallecitos Water District</u>		
Payment of water detachment fee		\$39,832.32
Payment of State Board of Equalization fee		<u>\$ 1,200.00</u>
	Total fees	\$41,032.32
<u>Rincon del Diablo Municipal Water District</u>		
Payment of ID1 annexation fee		\$138,623.35
Payment of Parent District annexation fee		\$ 5,153.53
Payment of annexation administration fee		<u>\$ 15,000.00</u>
	Total fees	\$158,776.88

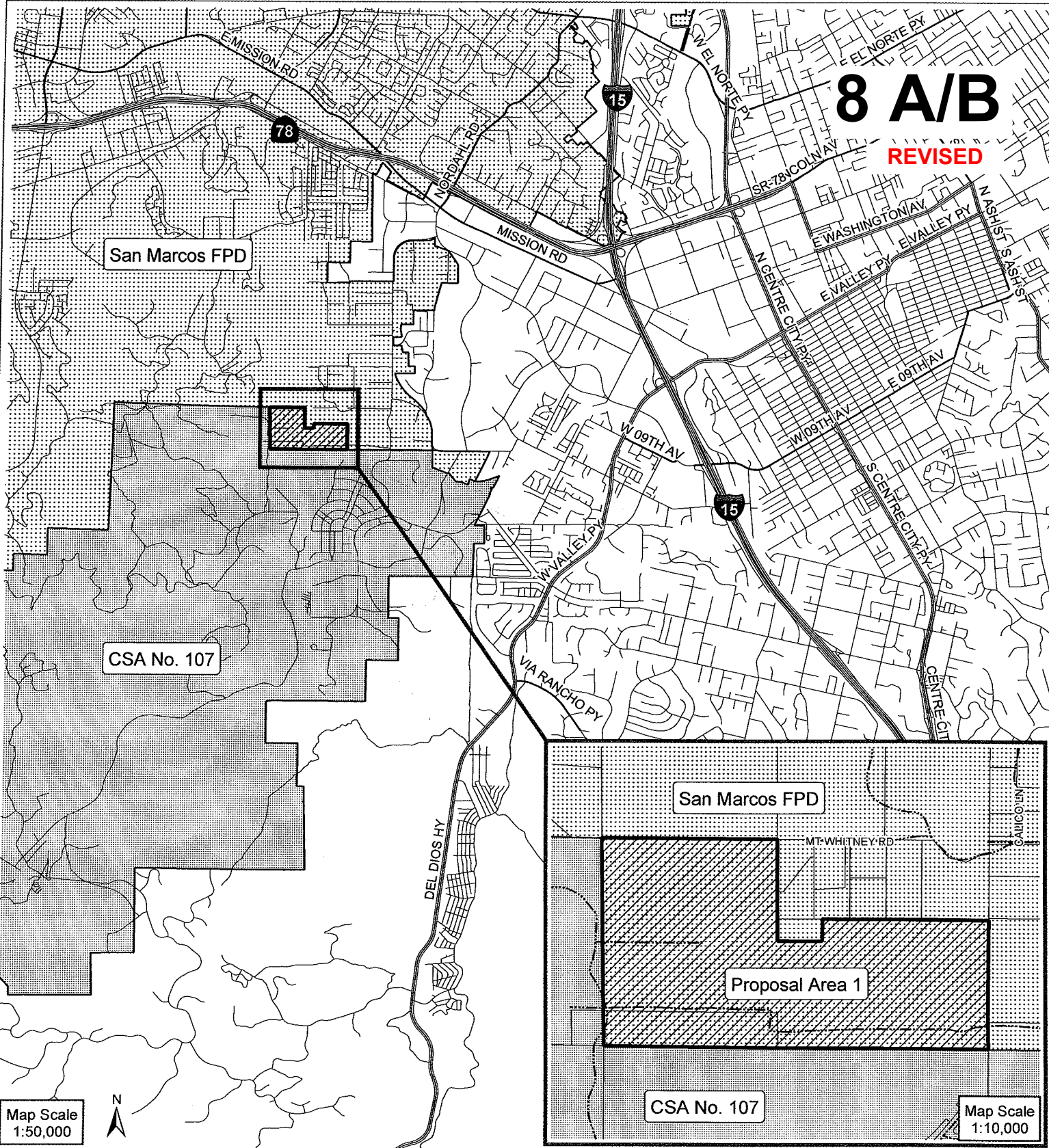
Attachments

Vicinity Map
 Exhibit A: Statement of Determinations

MDO:RB:ra

8 A/B

REVISED



SA/RO13-47 PROPOSED "HARMONY GROVE VILLAGE REORGANIZATION" (CSA NO. 107; RINCON DEL DIABLO MWD)

MAP 1 of 2 PROPOSED DETACHMENT FROM SAN MARCOS FPD; PROPOSED ANNEXATION TO CSA NO. 107

	Proposal Area 1
	CSA No. 107
	San Marcos FPD

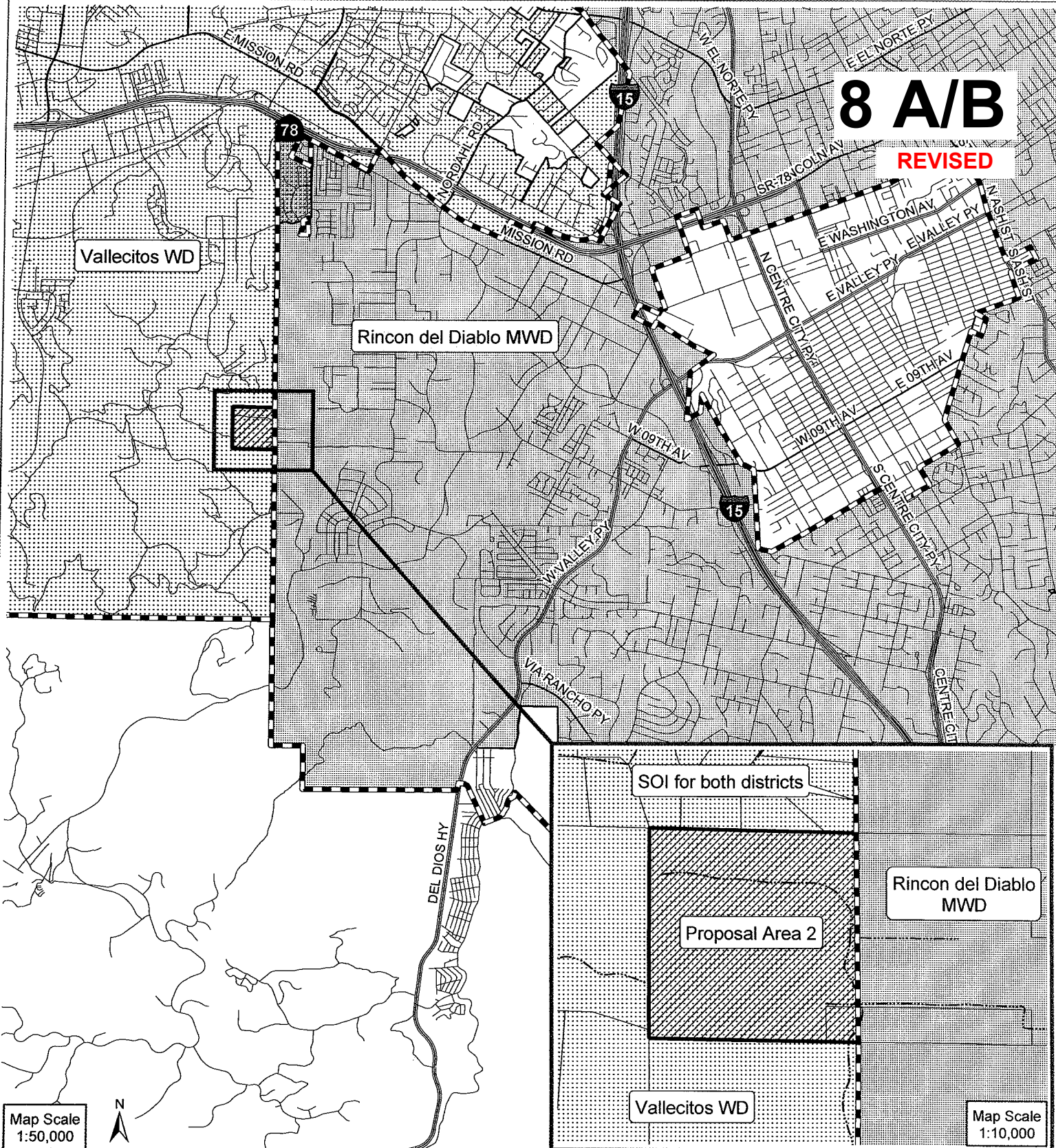
SAN DIEGO **LAFCO**

SanGIS
We Have San Diego Covered!

This map is provided without warranty of any kind, either express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. Copyright SanGIS. All Rights Reserved. This product may contain information from the SANDAG Regional Information System which cannot be reproduced without the written permission of SANDAG. This product may contain information which has been reproduced with permission granted by Thomas Brothers Maps.

8 A/B

REVISED



Map Scale
1:50,000



Map Scale
1:10,000

SA/RO13-47 PROPOSED "HARMONY GROVE VILLAGE REORGANIZATION" (CSA NO. 107; RINCON DEL DIABLO MWD)

MAP 2 of 2 PROPOSED DETACHMENT FROM VALLECITOS WD; PROPOSED SPHERE AMENDMENT AND ANNEXATION TO RINCON DEL DIABLO MWD

- Proposal Area 2
 - Vallecitos WD
 - Vallecitos WD SOI
 - Rincon del Diablo MWD
 - Rincon del Diablo MWD SOI
- SOI = Sphere of Influence

SAN DIEGO LAFCO



This map is provided without warranty of any kind, either express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. Copyright SanGIS. All Rights Reserved. This product may contain information from the SANDAG Regional Information System which cannot be reproduced without the written permission of SANDAG. This product may contain information which has been reproduced with permission granted by Thomas Brothers Maps.

RECOMMENDED STATEMENT OF DETERMINATIONS

PROPOSED MINOR AMENDMENT TO THE LARGER-THAN-DISTRICT SPHERE OF INFLUENCE FOR THE RINCON DEL DIABLO MUNICIPAL WATER DISTRICT

“Harmony Grove Village Reorganization” (SA13-47; RO13-47)

The following statement of determinations is prepared pursuant to section 56425 of the Government Code for designation of the area shown on the attached map as a minor amendment to the sphere of influence for the Rincon del Diablo Municipal Water District (MWD).

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

The proposed sphere amendment and reorganization to Rincon del Diablo MWD involves two unincorporated parcels: APN 235-563-02, approximately 38.37-acres; and APN 235-563-10, approximately 1.01-acres. Land uses on the proposal territory are governed by the County of San Diego General Plan and the San Dieguito Community Plan. The present General Plan designation is Specific Plan Area (SPA) – Harmony Grove Village. The present County of San Diego zoning is A-70 (Limited Agriculture) and S-88 (Specific Plan), 1 du/ 2-4 ac; 2 acre minimum lot size). The proposal area is surrounded by unincorporated territory with large-lot residential, agricultural, and open space uses.

(2) The present and probable need for public facilities and services in the area.

The two parcels within the proposal area are subject to a tentative map adopted by the County of San Diego called Harmony Grove Village. The Harmony Grove Village development project area is primarily located within the Rincon del Diablo MWD sphere and service area; however, the proposed sphere amendment and reorganization area is located within the Vallecitos WD. The proposed sphere amendment and reorganization would consolidate the entire Harmony Grove Village development project area within the Rincon del Diablo MWD’s sphere of influence and water service territory. Parcel -10 is owned by SDG&E and is not part of the Harmony Grove Village tentative map or project area; the parcel has been included in the proposed reorganization area so that it will be consistent with the jurisdictional organization of the surrounding parcels following the proposed reorganization to Rincon del Diablo MWD.

The proposal area is located within County Service Area No. 107 (Elfin Forest/Harmony Grove Fire Department) and the San Diego County Sanitation District (SD) for the provision of structural fire protection services and wastewater services, respectively; no changes to these service arrangements are proposed as part of the subject reorganization.

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

Rincon del Diablo MWD is authorized to provide potable and reclaimed water services,

and structural fire protection and advanced life support-level (ALS) emergency medical services (EMS). Water services are provided to a substantial portion of the City of Escondido and to limited areas within the Cities of San Marcos and San Diego; fire protection services are provided in the unincorporated portion of the District.

Rincon del Diablo MWD has indicated that it has sufficient capacity to extend water service to the proposed reorganization area from existing infrastructure located adjacent to the site. In 2007, LAFCO determined that the district was adequately providing its authorized services and the district's adopted larger-than-district sphere of influence was reaffirmed.

(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.

Social and economic communities of interest are not relevant in considering this minor amendment to the Rincon del Diablo MWD sphere of influence.

(5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The proposed sphere amendment and reorganization does not involve an update to the sphere of influence for the Rincon del Diablo MWD. A disadvantaged unincorporated community is defined as an unincorporated area, containing at least 12 registered voters where the annual median household income is 80 percent or less of the statewide annual median (\$46,166 or less in 2010). Refer to the *SB244 Local Agency Matrix* approved by the San Diego Local Agency Formation Commission on March 4, 2013 for the status of disadvantaged unincorporated communities and the Rincon del Diablo MWD.