



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

5f

AGENDA REPORT
 Consent | Action

May 3, 2021

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Priscilla Allen, Analyst I

SUBJECT: **Proposed “Huelsman – Acacia Avenue Change of Organization” |
 Annexation to the San Diego County Sanitation District (CO20-23)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a change of organization proposal filed by an interested landowner to annex approximately 0.5 acres of unincorporated territory to the San Diego County Sanitation District (SD). The affected territory as submitted includes one parcel developed with an existing single-family residence in the unincorporated community of Bonita. The proposal purpose is to extend San Diego County SD wastewater service to the subject parcel as a preventive measure to replace an aging onsite septic disposal system. Staff recommends conditional approval of the proposal with a discretionary modification to include 0.06-acre frontage portion of Acacia Avenue to the centerline along with waiving protest proceedings.

BACKGROUND

Applicant Request

San Diego LAFCO has received an application from an interested landowner – Nolan Huelsman – requesting approval to annex approximately 0.5 acres of unincorporated territory in Bonita to the San Diego County SD. The affected territory as submitted includes one parcel developed with a 1,800 square-foot single family residence at 4291 Acacia Avenue. The subject parcel is identified by the County of San Diego’s Assessor’s Office as 594-051-09.

<p>Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org</p>	<p>Vice Chair Jim Desmond County of San Diego</p> <p>Nora Vargas County of San Diego</p> <p>Joel Anderson, Alt. County of San Diego</p>	<p>Mary Casillas Salas City of Chula Vista</p> <p>Bill Wells City of El Cajon</p> <p>Paul McNamara, Alt. City of Escondido</p>	<p>Chris Cate City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Jo MacKenzie Vista Irrigation</p> <p>Barry Willis Alpine Fire Protection</p> <p>Vacant, Alt. Special Districts</p>	<p>Chair Andy Vanderlaan General Public</p> <p>Harry Mathis, Alt. General Public</p>
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San Diego LAFCO

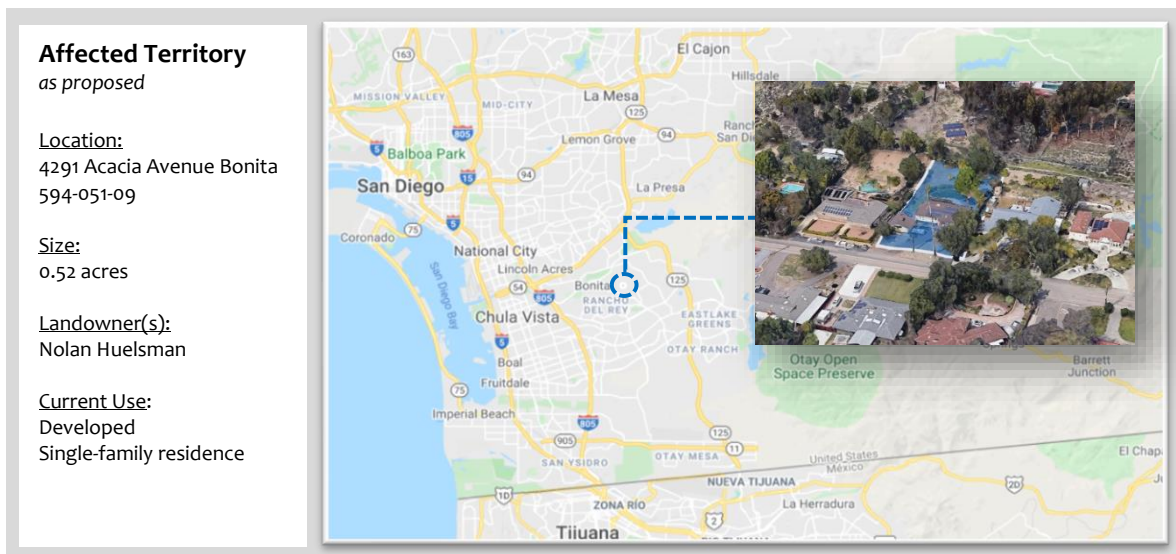
May 3, 2021 Meeting

Agenda Item No. 5f | “Huelsman – Acacia Ave Change of Organization” (CO20-23)

The affected territory lies outside the San Diego County SD sphere of influence and inside the City of Chula Vista sphere. This distinction allows the Commission by practice to consider approving applicant requests to annex their unincorporated properties to San Diego County SD without concurrent sphere amendments as further detailed.

Regional Setting

The affected territory lies within the unincorporated community of Bonita in the Sweetwater River Valley near the City of Chula Vista. Bonita Road via Acacia Avenue provides collector access to the affected territory and connects to the west to Interstate 805 (approximately 5 minutes). An aerial map of the affected territory and its regional setting follows. Attachment One shows the affected territory relative to the proposed boundary change involving the lone subject agency (San Diego County SD).



Subject Agency

The proposed change of organization filed with San Diego LAFCO involves one subject agency: San Diego County SD.¹ A summary of the subject agency in terms of governance, resident population, municipal functions, and financial standing follows.

- San Diego County SD is a dependent special district governed by the County of San Diego and serves as successor agency to a multi-agency consolidation completed in 2010. The jurisdictional boundary spans 46 square miles or 29,571 acres and divided between seven distinct service areas with a combined LAFCO estimated resident service population of 149,798. The affected territory lies in the Spring Valley service area. This is the largest service area in the District with an estimated resident service population of 92,717. The lone active municipal service function is wastewater (collection, treatment, and disposal classes). San Diego County SD conveys flows to

¹ State law defines “subject agency” to mean any district or city for which a change of organization or reorganization is proposed.

the City of San Diego’s adjacent collection system and thereafter to the Point Loma Treatment Facility; the latter operated by the Metro Wastewater Joint Powers Authority with the District as one of the signatories. LAFCO established a sphere of influence for San Diego County SD in 2011, which was most recently updated in 2019. The sphere excludes 2,106 jurisdictional acres (mostly in the Bonita area) and includes 9,379 non-jurisdictional acres (mostly in Spring Valley service area). The most recently prepared audit shows the District’s net position at \$127.1 million as of June 30, 2020 and reflects an overall change of 7.0% over the prior three fiscal years.

Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of 11 local agencies directly subject to San Diego LAFCO’s planning and regulatory responsibilities. These agencies qualify as “affected agencies” relative to the proposed change of organization and listed below.²

- Bonita-Sunnyside Fire Protection District
- City of Chula Vista (sphere of influence only)
- County Service Area No. 135 - Regional Communications
- Metropolitan Water District of Southern California
- San Diego County Flood Control District
- San Diego County Street Lighting District
- San Diego County Water Authority
- San Diego County Sanitation District
- San Diego County Street Lighting District
- South Bay Irrigation District
- Resource Conservation District of Greater San Diego County (sphere only)

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the change of organization proposal to annex the affected territory to the San Diego County SD. The Commission may also consider applying conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion with respect to proposal purpose and Commission focus follows.

Proposal Purpose

The purpose of the proposed change of organization before San Diego LAFCO is to extend San Diego County SD wastewater service in support of an existing single-family residence comprising the subject parcel. The timing of the proposal syncs to the landowner’s interest to proactively address wastewater service needs for the existing single-family residence and as

² State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

an alternative to making repairs to an aging onsite septic disposal system. No other municipal service establishments are proposed given the affected territory is already located within the Bonita-Sunnyside Fire Protection District (FPD) for fire protection and emergency medical and South Bay Irrigation District (ID) for water.

Development Potential

The County of San Diego General Plan identifies the affected territory as part of the Sweetwater Community Planning Area. The present County General Plan land use designation for the affected territory is Village Residential (VR-2) with a zoning standard of Rural Residential (RR). This latter standard prescribes a minimum lot size of 0.5 acres and precludes any additional density within the affected territory. Additional intensity would be allowed through one accessory dwelling unit.

Commission Focus

Three central and sequential policy items underlie San Diego LAFCO’s consideration of the change of organization. These policy items take the form of determinations and orient the Commission to consider the stand-alone merits of a (a) sphere of influence amendment, (b) timing of the change of organization itself, and (c) whether discretionary boundary modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside of LAFCO law as detailed in the proceeding section.

ANALYSIS

San Diego LAFCO’s analysis of the proposed change of organization is organized into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section and specifically analyzing the merits of the sphere amendment and the annexation as well as whether modifications and/or terms are appropriate to further address Commission goals and policies. The second subsection considers other germane issues required under LAFCO law or other applicable statutes and marked by making findings under the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 |

Sphere of Influence Amendment

State law specifies all jurisdictional changes approved by San Diego LAFCO shall be consistent with the spheres of influence of the subject agencies. This statutory threshold – in most instances – would necessitate the Commission consider an amendment to add the affected territory to San Diego County SD’s sphere of influence to accommodate the proposed annexation. The statutory threshold is further prefaced on the Legislature defining spheres of influence to demark the appropriate current and future boundary and service area of the subject agency as determined by the Commission. However, and pertinently, the

Commission has established a standing and unique practice specific to San Diego County SD to purposefully exclude jurisdictional lands in Bonita from the sphere of influence that are already in the City of Chula Vista’s sphere of influence. The underlying premise to this practice is to assign deference to the City of Chula Vista as the ultimate future service provider for Bonita when infrastructure and other timing issues materialize.

CONCLUSION | MERITS OF A SPHERE OF INFLUENCE AMENDMENT

A sphere of influence amendment is not warranted to accommodate the change of organization based on standing practice of San Diego LAFCO to avoid overlap with the City of Chula Vista’s sphere of influence. This action to retain and follow practice reaffirms the Commission’s interest for the City to serve as the ultimate and comprehensive service provider for the affected territory.

Item No. 2 | Change of Organization Timing

The timing of the change of organization involving annexation of the affected territory to the San Diego County SD for public wastewater service appears appropriate. This conclusion draws from the analysis of the statutory factors required for consideration of proposed jurisdictional changes along with the proposal’s conformance with locally adopted Commission policies. Most of the prescribed review factors and applicable policies focus on the effects of the proposed annexation on the service and financial capacities of the *receiving* agency, San Diego County SD (emphasis added). A summary of key conclusions generated from the review of these factors and applicable local policies follow with a complete analysis provided as Appendix A.

- Service Needs
Annexation of the affected territory to San Diego County SD would represent a logical and orderly expansion of the District’s jurisdictional boundary and public wastewater services therein to include a contiguous parcel. Additional details follow.
 - Annexation of the affected territory to San Diego County SD for purpose of establishing public wastewater service is consistent with the adopted residential land use policies of the County of San Diego. Annexation is also – pertinently – consistent with the land use policies contemplated for the affected territory by the City of Chula Vista; the anticipated future land use authority for the affected territory as determined by the Commission and marked by the subject lands standing inclusion in the City’s sphere.
 - The Commission has previously designated the City of Chula Vista as the ultimate wastewater service provider for the affected territory through the standing inclusion within the City’s sphere. However, and through established practice,

annexation to the San Diego County SD is consistent with the Commission interim preference to accommodate the expansion of public wastewater services within this urbanizing area and ahead of future transition to Chula Vista.

- Proceeding with the annexation of the affected territory to San Diego County SD parallels the expressed interest of the landowner to proactively address wastewater service needs for an existing single-family residence and as an explicit alternative to repairing an aging on-line septic system.
- Service Capacities and Levels

San Diego County SD has sufficient and excess wastewater system capacities to accommodate projected service demands within the affected territory at its potential maximum uses without expanding existing public infrastructure. Additional details on relevant service capacities and levels follow.

 - An existing San Diego County SD public wastewater main is located within the frontage Acacia Avenue public right-of-way and accessible through an approximate 70-foot lateral extension.
 - San Diego County SD projects the average day wastewater demand generated within the affected territory as one Equivalent Dwelling Unit (EDU) or 240 gallons. This projected amount can be readily accommodated by the SD and represents 0.006% of its available contract capacity remaining at the assigned treatment facility based on current system demands. Ultimate buildout would potentially include an accessory unit and increase the average day wastewater flow to 480 gallons per day or 0.012% of the remaining available capacity.
- Service Funding and Costs

San Diego County SD has the financial resources coupled with administrative controls to provide wastewater services to the affected territory in support of replacing its existing septic system without adversely impacting current ratepayers. This comment is reflected in the District operating as an enterprise fund coupled with staff analysis of the agency’s recent audited statements. San Diego County SD’s recent audited statements reflects the District remained profitable in each of the last three audited fiscal years with an average total margin of 8.0%.

**CONCLUSION |
MERITS OF CHANGE OF ORGANIZATION TIMING**

The timing of the change of organization and annexation of the affected territory to San Diego County SD is warranted. Justification is marked by the preceding analysis and highlighted by syncing the timing of the annexation with a known and immediate service need while reflecting available capacities and infrastructure. Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 3 | Modifications and Terms

Staff believes one modification to the submitted change of organization proposal is appropriate and merits San Diego LAFCO consideration at this time. The proposed modification involves adding 0.06 unincorporated acres to the change of organization involving the frontage portion of Acacia Avenue. The recommended modification does not have a material effect on the applicant and would provide consistency with the adjacent roadway territory. Applying standard approval terms also appears appropriate. A map of the affected territory with the recommended modification is provided as Attachment One.

CONCLUSION | MODIFICATIONS AND TERMS

Modification appears warranted to expand the affected territory to include 0.06 acres of the adjacent frontage portion of Acacia Avenue and thereby provide a more orderly boundary for the subject agency. Standard approval terms are recommended.

Other Statutory Considerations

Exchange of Property Tax Revenues

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before San Diego LAFCO can consider any jurisdictional change unless an applicable master agreement applies. The associated statutes also empower the County of San Diego to make all related property tax exchange determinations on behalf of special districts. Staff has confirmed the County Board of Supervisors has adopted a master tax exchange agreement applicable to the proposed change of organization. The application of this master tax exchange agreement will result in no transfer of property taxes to San Diego County SD.

Environmental Review

CEQA requires San Diego LAFCO to serve as lead agency and assess whether impacts would result from the proposed change of organization initiated by a landowner. Staff has determined the proposal qualifies as project under CEQA but exempt from further review under State CEQA Guidelines Section 15319(a). This exemption applies given the affected territory contains an existing private structure developed to the density allowed by current zoning and there is no corresponding need for an expansion of public infrastructure.

Protest Proceedings

Protest proceedings for the proposed change of organization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code Section 56662. The recommended waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law; the subject agency has not filed an objection to the waiver; and the landowner has consented to the underlying action.³

RECOMMENDATION

Staff recommends approval of the change of organization proposal with the referenced modification to include a portion of the public right-of-way along with standard terms. This recommendation is consistent with the action outlined as Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

Adopt the attached draft resolution approving the reorganization proposal as modified along with standard approval terms.

Alternative Two:

Continue consideration to the next regular meeting.

Alternative Three:

Disapprove the change of organization proposal with direction to staff to return at the next regular meeting with a conforming resolution for adoption.

PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO’s agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified.

On behalf of the Executive Officer,



Priscilla Allen
Analyst I

Appendices:

- A) Analysis of Boundary Change Factors

Attachments:

- 1) Map of the Affected Territory
- 2) Draft Resolution of Approval
- 3) Landowner Petition

³ LAFCO law defines uninhabited as territory in which 11 or less registered voters reside.

APPENDIX A

Government Code Section 56668 Proposal Review Factors

- a) **Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, in the next 10 years.**
-

The affected territory as submitted is approximately 0.5 acres in size and includes one unincorporated parcel developed with a single-family residence at 4291 Acacia Avenue in Bonita (594-051-09). Staff is recommending modifying the affected territory to also include an additional 0.06 acres comprising the adjacent public right-of-way. The application materials identify the affected territory is currently occupied with a four-member family. The affected territory is surrounded by similarly sized residential uses and no significant growth is anticipated in the surrounding area within the next 10-year period. Total assessed value (land and structures) of the subject parcel is \$456,017 with the last transaction date being August 2012.

- b) **The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**
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The County of San Diego acts as the primary purveyor of general governmental services to the affected territory. This includes community planning, roads, and public safety with the latter including law enforcement via the County Sheriff. Other pertinent service providers include Bonita-Sunnyside FPD for fire protection and emergency medical and South Bay ID (Sweetwater Authority) for domestic water service. This proposal affects wastewater service and is the focus of the succeeding analysis.

- **Extending Public Wastewater to Affected Territory**

Connection to San Diego County SD’s wastewater system is readily available through an approximate 70-foot extension of an existing main located within the adjacent Acacia Avenue public right-of-way. The affected territory lies within San Diego County SD’s Spring Valley service area within collection sent to the City of San Diego’s Point Loma Treatment Plant for treatment and ocean discharge.⁴ San Diego County SD projects the average day wastewater demand generated within the affected territory based on one EDU or 240 gallons per day. This projected amount can be readily accommodated by San Diego County SD and represents 0.006% of its

⁴ There are six other agencies with interties connecting into the Spring Valley service area for purposes of conveying wastewater flow to the Point Loma Facility. These agencies are the Cities of San Diego, Chula Vista, Lemon Grove, La Mesa, and National City as well as the Otay Water District and collectively have 36 connections to the Spring Valley system with the majority – 24 – being unmetered.

available contract capacity remaining at the Point Loma Facility based on current system demands. Ultimate buildout would potentially include an accessory unit and increase the average day wastewater flow to 480 gallons per day or 0.012% of the remaining available capacity.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

Approving the change of organization proposal and annexation to San Diego County SD would explicitly establish economic and social ties between the District and the affected territory. These ties implicitly exist already given the affected territory’s ability to develop to the maximum intensity allowed by the County of San Diego is substantively dependent on establishing wastewater service with San Diego County SD.

d) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.

The affected territory is presently developed with one single-family residence that is requesting to replace their existing septic disposal system by way of connecting to San Diego County SD for wastewater service. Approving the proposed change of organization and associated expansion of public wastewater service supports the County General Plan as the current land use authority as well as – pertinently – the City of Chula Vista General Plan as the designated future land use provider as determined by the Commission. Similarly, the proposal is consistent with the Commission’s own adopted policies and procedure to sync urban uses with urban services. None of the affected territory includes lands qualifying as “open-space” as defined under LAFCO law and the proposal therefore does not conflict with G.C. Section 56377. Additional analysis concerning applicability of germane Commission policies follow.

- Policy L-107 requires applicants to disclose and address potential jurisdictional issues associated with their proposals and if applicable require a consultation process with the affected agencies, interested parties, or organizations to help remedy concerns unless waived by the San Diego LAFCO Executive Officer. No jurisdictional disputes or related concerns were disclosed by the applicant or identified by subject and affected agencies in the review of the proposal.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not contain “prime agricultural land” or “agricultural land” as defined under LAFCO law or further prescribed in local Commission policy. Specifically, the affected territory does not contain lands currently used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program. Approval of the change of organization proposal and annexation to San Diego County SD would have no effect on

maintaining the physical and economic integrity of agricultural lands.

f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.

LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds consistent with the standard of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on submittal of a final map and description conforming to the referenced standards and addressing any proposal area modifications enacted by the Commission.

g) A regional transportation plan adopted pursuant to Section 65080.

The proposed change of organization would extend wastewater service to one existing single-family residence. Therefore, the proposed change of organization for annexation to the San Diego County SD does not conflict with *San Diego Forward*, the regional transportation plan adopted by the San Diego Association of Governments.

h) Consistency with the city or county general and specific plans.

The primary purpose of the proposed change of organization before San Diego LAFCO is to extend wastewater service to replace an existing and aging onsite septic disposal system on the affected territory. The change of organization proposal and extension of wastewater service is consistent with both the County of San Diego General Plan and City of Chula Vista General Plan and their respective residential land use policies.

i) The sphere of influence of any local agency affected by the proposal.

The affected territory is not located within the sphere of influence of the San Diego County SD; however, the affected territory is located within the City of Chula Vista sphere. San Diego LAFCO practice permits annexations to the San Diego SD without inclusion within its sphere and reaffirms the Commission’s priority interest for the City to serve as the ultimate and comprehensive service provider for the affected territory.

j) The comments of any affected local agency or other public agency.

Notice of the submitted change of organization proposal was distributed to all affected and subject agencies as required under LAFCO law. No written comments on the proposal were received ahead of preparing this agenda report for distribution on April 23, 2021.

k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and reviewed as part of this proposal indicates San Diego County SD has sufficient and available financial resources and administrative controls therein relative to providing public wastewater to the affected territory without adversely impacting existing ratepayers. This statement is supported by the following factors.

- San Diego County SD’s last audit covers 2019-2020 and shows the District finished with high liquidity levels with an agency-wide current ratio of 100:1 (i.e., \$100 in current assets for every \$1.00 in current liabilities).
- San Diego County SD finished 2019-2020 with high capital levels as evident by a low debt ratio of 0.38% (i.e., only \$0.38 out of every \$100.00 in net assets are financed).
- San Diego County SD has experienced a downward trend in each of the last three audited fiscal years with an average operating margin of (23%). The most recent year – 2019-2020 – the operating margin was (10.9%).

l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.

The affected territory is presently located within and receives domestic water service from the South Bay ID (Sweetwater Authority). The San Diego County Water Authority serves as the wholesale water provider for the affected territory. Approval of the proposed change of organization would not affect the timely availability of water supplies to the affected territory for the proposed civic uses.

m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

The proposed change of organization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands are already assigned to the County of San Diego by the region’s council of governments. The annexation to the San Diego County SD would not affect this assignment.

n) Any information or comments from the landowners, voters, or residents.

The affected territory is considered uninhabited as defined by LAFCO law (containing 11 registered voters or less). The landowner supports the proposed change of organization and has provided written consent to the proceedings as the initiating applicant.

o) Any information relating to existing land use designations.

See above analysis for (h).

p) The extent to which the proposal will promote environmental justice.

As used in this review factor, "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 proposed change of organization does not include locating new public facilities and the proposed provision of public services would be limited to the planned religious facility. Approval of the proposed change of organization is not anticipated to affect the promotion of environmental justice.

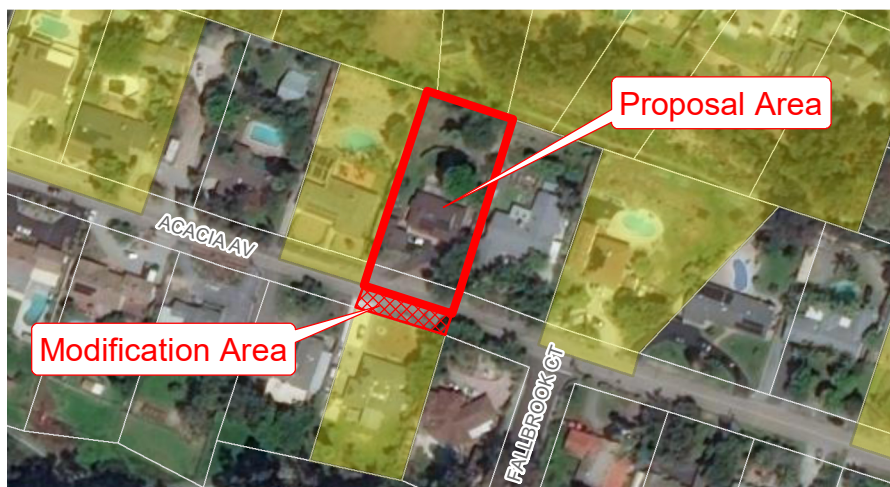
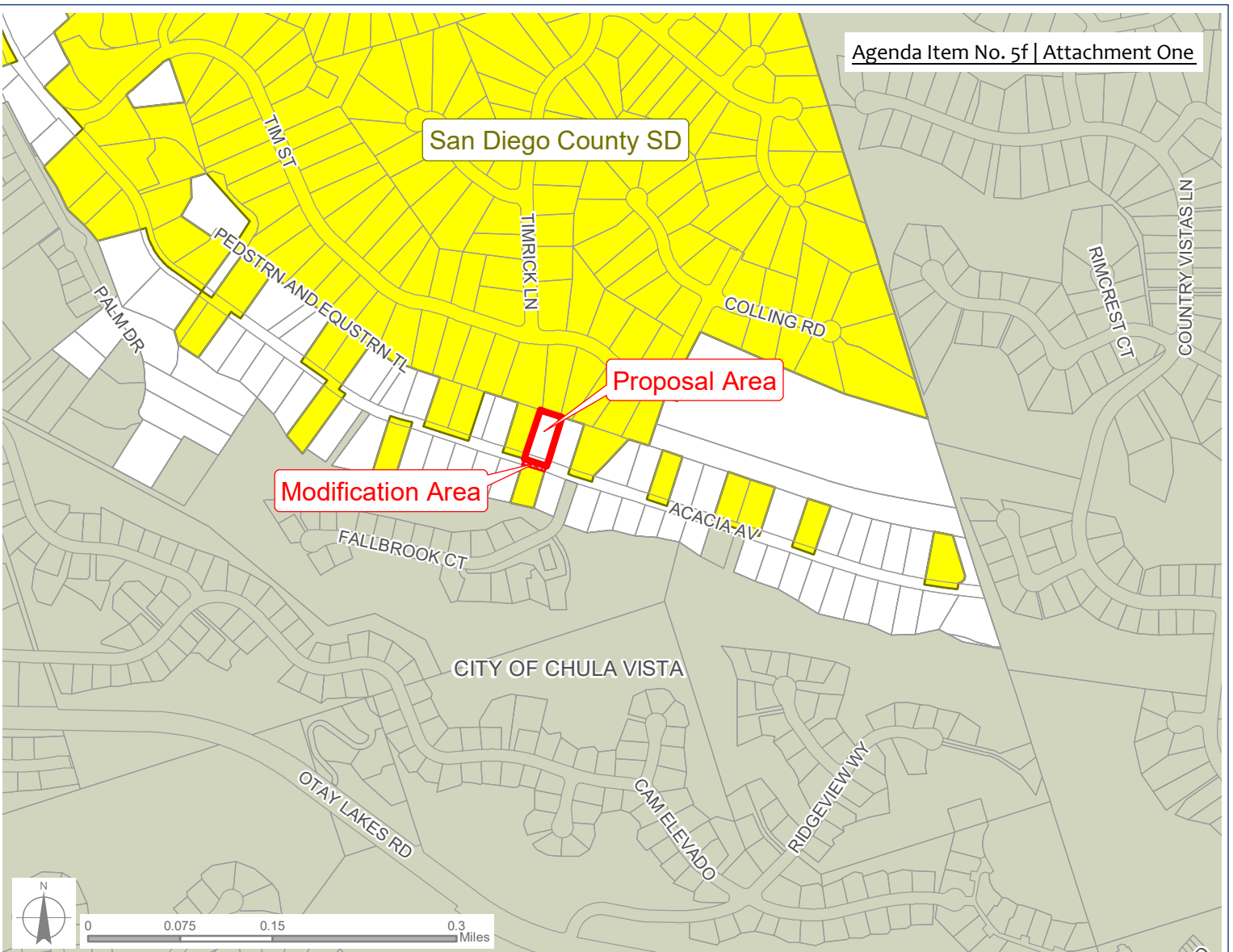
q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

The County of San Diego has adopted a multi-jurisdictional hazard mitigation plan for potential fire, flooding and earthquakes. The affected territory lies outside any identified threat designations.




r) Section 56668.3(a)(1) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annex to the district.

Approval of the change of organization would be in the best interest of the current and future landowners and/or residents of the affected territory by providing access to reliable public wastewater service going forward. Approval would also benefit adjacent landowners and/or residents by eliminating the potential operation of a private septic system and the potential therein for failures.

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CO20-23 "HUELSMAN - ACACIA AVENUE CHANGE OF ORGANIZATION" | PROPOSED ANNEXATION TO THE SAN DIEGO COUNTY SANITATION DISTRICT

-  Proposal Area
-  Modification Area
-  San Diego County SD



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RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A CHANGE OF ORGANIZATION

**“HUELSMAN – ACACIA AVENUE CHANGE OF ORGANIZATION”
ANNEXATION TO THE SAN DIEGO COUNTY SANITATION DISTRICT
LAFCO FILE NO. CO20-23**

WHEREAS, on November 25, 2020, landowners Nolan and Cynthia Huelsman filed a petition to initiate proceedings and an application with the San Diego County Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the application seeks approval of a change of organization to annex approximately 0.5 acres of unincorporated territory within the County of San Diego to the San Diego County Sanitation District; and

WHEREAS, the affected territory as proposed includes one developed parcel proposed for annexation to the San Diego County SD to replace an existing on-site septic disposal system and identified by the County of San Diego Assessor’s Office as 404-200-24; and

WHEREAS, the Commission confirms an applicable master property tax transfer agreement applies to the proposed change of organization dated December 14, 1982; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposed change of organization and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on May 3, 2021; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. The public meeting was held on the date set therefore, and due notice of said meeting was given in the manner required by law.
2. At the public meeting, the Commission considered the Executive Officer’s report.

3. The Commission serves as lead agency for environmental review of the proposed change of organization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission's findings follow.
 - a) The Commission finds the proposed change of organization qualifies as a project under CEQA but is categorically exempt from further environmental review under State CEQA Guidelines Section 15319(a). The exemption applies given the affected territory contains an existing private structure developed to the density allowed by current zoning and there is no corresponding need for an expansion of public infrastructure.
4. The Commission APPROVES the change of organization with a discretionary modification as described below. Approval involves all of the following:
 - a) The affected territory is modified to include 0.06 acres of nearby public right-of-way on Acacia Avenue.
 - b) Annexation of the affected territory to the San Diego County Sanitation District is shown in "Exhibit A-1" and described in "Exhibit A-2."
5. The Commission CONDITIONS all approvals on the following terms being satisfied by May 3, 2022 unless an extension is requested in writing and approved by the Executive Officer:
 - a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - b) Submittal to the Commission of final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
 - c) Submittal to the Commission of the following payments:
 - A check made payable to LAFCO in the amount of \$50.00 for the County of San Diego-Clerk Recorder to reimburse for filing a CEQA Notice of Exemption consistent with the findings in the resolution.
 - A check made payable to the State Board of Equalization for processing fees in the amount of \$300.00.
6. The Commission assigns the proposal the following short-term designation:
"Huelsman-Acacia Avenue Change of Organization"
7. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
8. The Commission waives conducting authority proceedings under Government Code Section 56662.

9. The San Diego County Sanitation District is a registered-voter district.
10. The San Diego County Sanitation District utilizes the County of San Diego assessment roll.
11. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the San Diego County Sanitation District as provided under Government Section 57328.
12. The effective date of the approval shall be the date of recordation but not before the completion of a 30-day reconsideration period and only after all terms have been completed as attested by the Executive Officer.
13. As allowed under Government Code Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.
14. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Sections 56880-56882 of the Government Code.
15. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

**

PASSED AND ADOPTED by the Commission on May 3, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**

Attest:

Keene Simonds
Executive Officer

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EXHIBIT A-1
MAP OF THE AFFECTED TERRITORY

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EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-


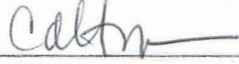
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Part IVb: LANDOWNER PETITION

Petitions must meet minimum signature requirements (see Part V). Signatures must be secured within six months of the date on which the first signature was affixed. Petitions must be submitted to the LAFCO Executive Officer within 60 days after the last signature is affixed (Govt. Code § 56705).

Each of the undersigned states:

- I personally signed this petition.
- I am a landowner of the affected territory.
- I personally affixed hereto the date of my signing this petition and the Assessor's Parcel Number(s), or a description sufficient to identify the location of my land.

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
x Sign <u></u> Print <u>Nolan Huelsman</u>	APN 594-051- 09	2/10/2021	
x Sign <u></u> Print <u>Cynthia Huelsman</u>	APN 594-051- 09	2/10/2021	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

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