



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

**7a**

**AGENDA REPORT**  
 Public Hearing

March 4, 2024

**TO:** Commissioners

**FROM:** Keene Simonds, Executive Officer  
 Carolanne Ieromnimon, Analyst II

**SUBJECT: Proposed “Tucker – Valley Road Reorganization” |  
 Annexation to National City with Concurrent Detachments from South Bay  
 Irrigation District, Bonita-Sunnyside Fire Protection District, and County  
 Service Area No. 135 and Related Sphere of Influence Amendment (RO23-01)**

**SUMMARY**

The San Diego Local Agency Formation Commission (LAFCO) will consider a reorganization proposal filed by landowner petition with the principal action to annex approximately 2.16 unincorporated acres in the Bonita community to National City. A secondary action to detach the affected territory from South Bay Irrigation District (ID), Bonita-Sunnyside Fire Protection District (FPD), and County Service Area No.135 (CSA) are also proposed. The affected territory comprises two legal parcels the lie entirely within the sphere for National City. The proposal purpose is to facilitate the planned development of a minor subdivision consisting of 10 single-family residences known as the “Valley View Development Project”. Staff recommends conditional approval of the proposal as submitted, along with a conforming sphere of influence action for Bonita-Sunnyside FPD’s sphere, and a municipal service review waiver under L-106. It is also recommended the Commission waive protest proceedings along with making parallel findings to the mitigated negative declaration adopted by National City.

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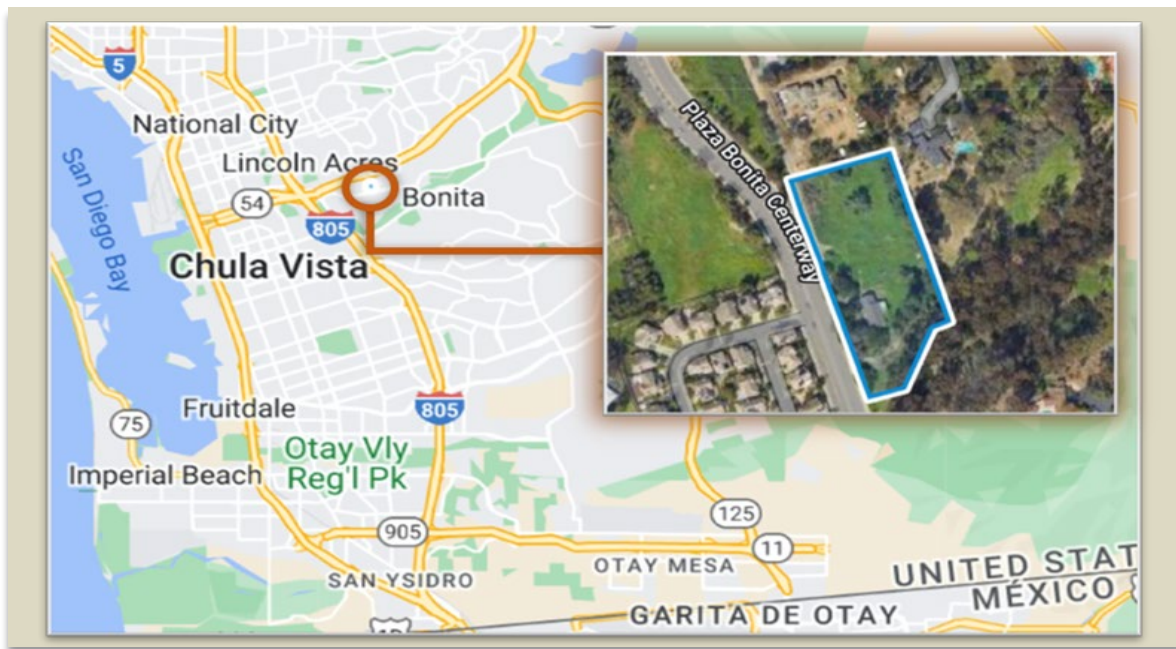
## BACKGROUND

### Applicant Request

San Diego LAFCO has received a reorganization proposal initiated by an interested landowner – Valley View Development LLC (Laurence Tucker) – for the primary purpose of annexing approximately 2.16 acres of unincorporated territory in Bonita to National City. The affected territory as submitted comprises two legal parcels with one developed with a 1,612 square foot single-family residence built in 1964 at 3410 Valley Road and the other presently undeveloped at 0 Valley Road. The County Assessor's Office identifies the subject parcels as 591-100-31 (3410 Valley Road) and 591-100-27 (0 Valley Road). The proposal also includes concurrent detachments from South Bay ID, County Service Area No. 135, and Bonita-Sunnyside FPD along with a conforming sphere amendment to Bonita-Sunnyside FPD sphere to remove the entire affected territory.

### Regional Setting

The affected territory is located in southeast San Diego County within the unincorporated community of Bonita, which generally lies east of Interstate 805, south of the State Route 54, and west of Interstate 125. Principal access to the affected territory is provided by Plaza Bonita Centerway via Valley Road. The affected territory lies within County Supervisorial District No. 1 (Nora Vargas), Assembly District No. 80 (David A. Alvarez), and Senate District No. 18 (Steve Padilla). An aerial map of the affected territory and its regional setting follows with a more detailed map – including the existing parcel and jurisdictional boundaries – provided as Attachment One.



## Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves four subject agencies: Bonita-Sunnyside FPD, National City, County Service Area No. 135, and South Bay Irrigation District.<sup>1</sup> Summary of the subject agencies in terms of governance, resident population, municipal functions, and financial standing follows.

- **National City** was incorporated in 1887 as a general-law municipality with an existing estimated resident population of 56,525. It spans approximately 5,888 acres or 9.2 square miles and bordered by the City of Chula Vista to the south, and the City of San Diego to the north. National City is a full-service municipality and headlined by directly providing community planning, fire protection, parks and recreation, police protection, and wastewater. (Water services are geographically limited and supplemented by other special districts within City limits.) Current budgeted staffing totals 331. LAFCO last reviewed and affirmed National City’s sphere in 2014 with a “larger-than-city” designation that included 234 non-jurisdictional acres mostly within the Lincoln Acres area. National City’s most recent audit shows its net position at \$220.9 million as of June 30, 2022, with an unrestricted balance of (\$41.4 million). The unrestricted amount is adjusted to (\$33.7 million) less pension and related retiree liabilities. The ending non-restricted balance within the General Fund separately finished at \$43.6 million. Overall, National City’s total net position has changed by 6.0% over the prior three audited years as of June 30, 2022, with an undesignated balance of \$19.5 million with an ending cash balance of \$24.5 million.
- **Bonita-Sunnyside FPD** is an independent special district governed by a three-member board of directors. An appointed general manager (fire chief) oversees day-to-day activities, and this includes a current full-time budgeted staff of 14.0. Bonita-Sunnyside FPD was formed in 1950 with an existing jurisdictional boundary spanning 4,480 acres or 7.0 square miles with National City and Chula Vista bordering its boundary. Bonita-Sunnyside FPD provides three municipal service functions: fire protection; emergency medical; and ambulance transport. LAFCO last reviewed and affirmed the sphere for Bonita-Sunnyside FPD in 2013 with a “larger-than-district” designation which included an additional 273 non-jurisdictional acres located along Proctor Valley Road. The most recent audit shows Bonita-Sunnyside FPD’s net position at \$3.5 million as of June 30, 2021. This accrued amount reflects an overall three-year change of 10.5% and includes an unrestricted portion of \$2.8 million. The audited balance sheet shows a total of \$7.7 million with \$7.2 million unassigned and readily spendable.
- **CSA No. 135** is a dependent special district of the County of San Diego encompassing 3,739.8 square miles and includes all unincorporated lands as well as 10 of the 18 cities in San Diego County. CSA No. 135 was formed in 1994 to provide public safety radio communications through a funding agreement with a third-party (Regional

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

Communication Systems, LLC) and involves operating an 800-megahertz system. Administration of this municipal function is provided by County Sheriff. The current estimated resident population within CSA No. 135 is 1,074,319. LAFCO established a sphere of influence in 1994 coterminous to San Diego County. The sphere was last reviewed and affirmed in 2007. The most recent audit shows the County’s net position at \$3.790 billion as of June 30, 2022 with an unrestricted portion of (\$1.858 billion) that adjusts to \$1.297 billion less retiree obligations. Overall, the County’s total net position has changed by 5.4% over the prior three audited years.

- **South Bay ID** is an independent special district formed in 1951 and spans 32.3 square miles or 20,666 acres in southwest San Diego County and overlaps the western portion of the City of Chula Vista and the unincorporated communities of Bonita and Lincoln Acres. An elected five-member Board oversees South Bay ID’s lone municipal service function – water – and operated through the Sweetwater Authority; a joint-powers entity of the District and Cities of Chula Vista and National City. LAFCO estimates the current resident population is 132,389. LAFCO established a sphere of influence for South Bay ID in 1985, which was last updated in 2007 with a larger-than-agency designation to include approximately 995 non-jurisdictional acres. South Bay ID’s last published audited net position tallied \$0.100 million as of June 30, 2022 with all \$0.100 million designated as unrestricted.

### Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of eight local agencies directly subject to San Diego LAFCO’s planning and regulatory responsibilities. These agencies qualify as “affected agencies” relative to the proposed reorganization for noticing purposes and listed below.<sup>2</sup>

- Bonita Sunny-Side Fire Protection District
- City of National City
- CSA 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
- South Bay Irrigation District

The affected territory also lies within the following school and college districts, and accordingly has received notice: Chula Vista Elementary School District; Sweetwater Union High School District; and Southwestern Community College.

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<sup>2</sup> State law defines “affected 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.

## DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications to the physical footprint – the reorganization proposal and its principal action to annex the affected territory to National City with concurrent detachments from Bonita-Sunnyside FPD, South Bay ID, and CSA No. 135. The Commission may also consider applying conditions as allowed under statute so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion with respect to proposal purpose, development opportunities, and Commission focus follows.

### Proposal Purpose

The purpose of the proposed reorganization before San Diego LAFCO is to annex the affected territory to National City and in doing so accommodate the planned development of a minor subdivision consisting of 10 single-family residences and ancillary improvements as part of the “Valley View Development Project”. The timing of the proposal follows National City’s approval of the tentative map and adoption of the mitigated negative declaration associated with the proposed subdivision in September 2023.

### Current and Planned Development Opportunities

The affected territory is entirely unincorporated and under the land use authority of the County of San Diego and its adopted policies. Specific development policies for the affected territory are delegated in the County General Plan to the Sweetwater Community Plan (2011). The present land use designation applied to the affected territory is Semi-Rural Residential (SR-1), which provides up to one dwelling unit per one acre. The affected territory is zoned Rural Residential (RR) with a minimum lot size of 1.0 acres. National City separately designates the affected territory as Small-Lot Residential, with a pre-zoning assignment of RS-2, which prescribes a 0.14-acre – or 5,000 square foot - minimum lot size. This pre-zoning assignment provides a maximum density potential of the City’s land use authority of 6-9 dwelling units per acre. This sets the maximum intensity potential for the affected territory of up to 18 units. On September 5, 2023, National City approved the tentative subdivision map for the proposed 10-lot residential development and ancillary improvements associated with the affected territory and commonly known as the “Valley View Development Project”. This approval allows the construction of 10 single-family residences and ancillary improvements which include a private street, biofiltration basin and open space (drainage).

### Commission Focus

Three central and sequential policy items underlie San Diego LAFCO’s consideration for the proposed reorganization. These policy items ultimately take the form of determinations and orient the Commission to consider the interrelated merits of (a) accommodating sphere of influence action for Bonita-Sunnyside FPD, (b) timing of the reorganization, and (c) whether discretionary boundary modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as detailed.



## ANALYSIS

San Diego LAFCO’s analysis of the proposed reorganization is divided into two subsections. The first subsection pertains to evaluating the central policy issues referenced in the preceding section starting with the merits of the conforming sphere of influence action and the timing of the reorganization relative to the factor mandated for review by the Legislature and local policies. The second subsection considers other germane issues required for the LAFCO proposal consideration and this includes complying with the California Environmental Quality Act (CEQA).

### Central Policy Items

#### Item No. 1 |

#### Conforming Sphere of Influence Amendment

The proposed reorganization necessitates San Diego LAFCO to consider a concurrent action to the Bonita-Sunnyside FPD sphere of influence to achieve consistency with the requested boundary changes required under statute. (The spheres of the other subject agencies readily conform to the proposed reorganization.) Consideration of the concurrent sphere action is premised on the Commission’s statutory responsibility to designate spheres to demark the affected agencies’ appropriate current and future service areas relative to community needs and – among other features – to conform with proposed changes of organization or reorganization when warranted. Staff believes the amendment to remove the affected from Bonita-Sunnyside FPD’s sphere is merited.

Analysis of the related amendment follows.

- Sphere Factor No. 1:  
Consideration of a Municipal Service Review

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Statute requires LAFCO to prepare municipal service reviews to inform its related task to regularly review and update all local agencies’ spheres of influence. The statute further directs LAFCO perform sphere updates every five years as needed. Commission policy L-106 affirms this statutory direction while also providing waiver allowances based on Executive Officer recommendations. The most recent series of municipal service reviews prepared by LAFCO germane to the affected territory and subject agency was completed in 2014. Requiring one or more new municipal service reviews – however and specific to informing the proposed reorganization – does not appear warranted. This conclusion ties to the relatively limited scope of the amendment and otherwise certainty in analyzing service impacts and related capacities as detailed further in this agenda report.

- Sphere Factor No. 2:  
Consideration of the Agency-Affected Territory Relationship

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The Legislature prescribes consideration of five factors anytime LAFCOs act on spheres of influence. These factors parallel the macro topics in municipal service reviews with a generalized focus on the relationship with the affected territory – including service needs and adequacy of available services. The factors also orient the Commission to broadly consider the relationship between current and planned land uses in the affected territory plus – and as needed – effects on qualifying disadvantaged unincorporated communities. The factors and staff analysis follows.

- With respect to **present and planned land uses**, the affected territory as submitted comprises two parcels within the Bonita community that lie entirely within the sphere of influence for National City. National City has pre-zoned the affected territory as Small-Lot Residential (RS-2) with a minimum lot size of 0.14 acres. The planned residential uses – which parallels existing surrounding uses – is readily compatible with the proposal and conforming sphere amendment to Bonita-Sunnyside FPD’s sphere. The sphere action serves to represent the Commission’s belief National City – and not Bonita-Sunnyside FPD – is the appropriate long-term service provider of fire protection for the planned development going forward.
- With respect to **present and probable need for one or more public services**, the affected territory’s existing residential uses coupled with it being substantially surrounded by National City and within its sphere of influence merits a full range of municipal services to provide coordinated and uniformed service (fire protection, wastewater, and community planning, etc.) within the region. Amending the sphere to exclude the affected territory from Bonita-Sunnyside FPD to accommodate the annexation to National City and the planned development contemplated under the City’s land use policies is consistent with these present and probable service needs. The amendment formalizes the Commission’s belief National City – and not Bonita-Sunnyside FPD – is the appropriate long-term service provider of fire protection following reorganization.
- With respect to **overall adequacy of the agencies’ public services**, no material deficiencies have been identified by LAFCO staff as part of the proposal review. Specifically, and as detailed in the proceeding section, National City has existing infrastructure and related capacities to readily extend municipal services to the affected territory without adverse impacts to current ratepayers. This includes integrated fire protection and emergency medical services. Amending the sphere to exclude the affected territory from Bonita-Sunnyside FPD is consistent with these present and adequate capacities.
- With respect to **social or economic communities of interest if relevant to the agencies**, LAFCO established relevant social and economic ties between the affected territory and National City in concert with adding the subject lands to

National City’s sphere of influence in step with designating the City as the preferred ultimate service provider. The proposed amendment to Bonita-Sunnyside FPD’s sphere to exclude the affected territory readily syncs and formalizes these existing social and economic ties and formalizes the Commission’s standing inclusion of the affected territory within National City’s sphere of influence.

- With respect to **present and probable need for services involving any disadvantaged unincorporated communities**, none of the affected territory qualifies under LAFCO statute.
- Sphere Factor No. 3:  
Consideration of Policy L-102

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San Diego LAFCO’s policies guiding sphere of influence actions are primarily codified under L-102. This policy was adopted in August 1990 and last substantively updated in June 2000. It directs the Commission to utilize spheres to guide deliberations on future changes of organizations and in doing so – and among other growth management objectives – help reflect and preserve community identities. The policy further directs LAFCO to use spheres to discourage duplication of municipal services and similarly encourages local agency consolidations, whether functional or political. The sphere of influence amendment necessary to accommodate the proposed reorganization conforms with L-102. Most directly, the amendment would formalize Commission expectation that National City is the appropriate long-term fire protection service provider as presently reflected in the Commission’s standing inclusion of the affected territory within National City’s sphere.

## CONCLUSION | MERITS OF CONFORMING SPHERE OF INFLUENCE AMENDMENT

The conforming sphere of influence amendment necessary to accommodate the proposed reorganization involving Bonita FPD is sufficiently justified under both statute and local policy. Justification is marked by the preceding analysis and largely premised on the following assumptions. First, it is assumed the Commission determines a new municipal service review is not necessary to inform the conforming sphere amendment to Bonita FPD given the otherwise limited scope of service impacts and a waiver is appropriate. Second, it is assumed the Commission determines there is sufficient and overriding connectivity between National City’s services – and specifically in this regard to fire protection and emergency medical – warranting removal from Bonita FPD’s sphere and in doing so designate the City as the appropriate service provider going forward.



## Item No. 2 | Reorganization Timing

San Diego LAFCO's consideration of the proposed reorganization's timing draws on analyzing baseline factors required in statute as well as applicable policies set by the Commission. Most of the baseline factors in statute focuses on disclosing and otherwise addressing compatibility issues with external goals and policies of other State, regional, and local agencies as well as assessing the ability of subject agencies providing services going forward.<sup>3</sup> Applicable local policies prompted for consideration are headlined by L-107 and its attention to disclosing and/or addressing any known or perceived jurisdictional disputes.

Analysis of these two related timing factors follows.

- Timing Factor No. 1:  
Baseline Considerations: Regional Policies + Service Relationships

State law prescribes the mandatory consideration of certain and multifaceted factors anytime LAFCOs consider jurisdictional changes. These factors range in substance from disclosures – such as the affected territory's current land uses, assessed values, register voter counts, and so on – to discretionary analyses. This latter category is highlighted by evaluating the proposed annexation's relationship to community needs as well as the service capacities and related financial resources of the subject agencies. A summary of key conclusions generated in reviewing these discretionary matters for the proposed reorganization with an emphasis on the receiving entity (National City) regarding (a) service needs, (b) service availability and capacities, and (c) related financial considerations follow.

- With respect to **service needs**, the present and planned residential land uses of the affected territory merits organized public services and would be aided by the reorganization and annexation to National City and its ability to provide a range of urban-supporting services. The Commission has previously designated National City as the appropriate future land use authority and primary service provider for the affected territory and its two subject parcels through standing inclusion in the City's sphere of influence. Annexation to National City memorializes this standing.
- With respect to **service availability and capacities**, the City of National City would directly assume most municipal service responsibilities for the affected territory upon reorganization and highlighted by providing the following core functions: community development; wastewater; integrated fire protection and emergency medical; and police protection. One other key municipal service function that would continue to be provided to the affected territory post reorganization involves water provided by the Sweetwater Authority.) Additional details on these core National City functions and relationship – availability and capacity – with the affected territory follows.

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<sup>3</sup> Reference to Government Code Section 56668.

National City would assume wastewater service responsibilities for the affected territory upon reorganization. An existing National City collection main is located immediately west of the affected territory within the public right-of-way Plaza Bonita Center Way as well as an additional connection traversing through the south of the parcel. LAFCO projects the average wastewater demands generated within the affected territory at its planned development would equal 1,900 gallons.<sup>4</sup> This average demand projection is based on the development of 10 single-family residences with a per unit daily generation of 190 gallons. This projected demand equals 0.0528% of the available average day wastewater system capacity currently available to National City from the City of San Diego's Point Loma Wastewater Treatment Plant with additional details footnoted.<sup>5</sup>

National City would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. The transition is contemplated in the National City's General Plan (2011) and prescribed by it rezoning the subject lots as Small-Lot Residential (RS-2).

National City would formally assume integrated fire protection and emergency medical service responsibilities for the affected territory. This change would have minimal impact on service levels given National City. First-response would be provided from National City's Station No. 31, located nearby at 2333 Euclid Avenue. Response times to the affected territory are estimated to be less than 6 minutes (90% of the time) for priority calls and non-priority calls. Total response time would fall within the City's response time standard of 6 minutes or less (90% of the time) for urban areas and suburban areas.

National City would formally assume police protection responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given National City's automatic aid agreement with the County Sheriff already commits the City to serve as first responder for all high proximity calls for the region given its proximity to City resources.

- With respect to **related financial considerations**, staff analysis shows National City has financial resources and administrative controls to readily assume municipal service responsibilities to the affected territory in support of its existing and planned uses without significant adverse impacts. This macro comment considers the relatively limited scale of the proposed annexation to National City paired with acknowledging recent City stresses due to escalating resources requiring redirection to cover pension costs as well as recent Capital Improvement Projects that were completed in Fiscal Year ending June 2022.<sup>6</sup> National City, nonetheless,

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4 Estimate provided by LAFCO.

5 National City's existing average day wastewater flow is 3.89 million gallons, which equals 52.0% of the overall 7.487 million gallons per day capacity at the City of San Diego's Point Loma Wastewater Treatment Plant.

6 National City completed 4 major capital improvement projects in fiscal year 2021-2022 that include the Euclid Bike and Pedestrian

finished with positive General Fund total margins in each of the last three completed fiscal years with a period average of 8.3% ending in June 2022.

- Timing Factor No. 2:  
Consideration of Policy L-107

San Diego LAFCO adopted L-107 in May 2010 to require all applicants to disclose jurisdictional disputes or related items that are associated with their proposal filings. If applicable, and unless waived by the Executive Officer, the policy requires applicants and/or their representatives to consult with opponents to resolve any known issues – concerns, disputes, etc. – before the item is formally considered by the Commission.<sup>7</sup> If an agreement is reached through the consultation process, the policy states the Commission shall consider the provisions as part of the application. If an agreement is not reached despite exhausting good-faith efforts, the policy states the Commission shall proceed to consider the application as submitted.

No jurisdictional disputes have been disclosed by National City, South Bay Irrigation District, Bonita-Sunnyside Fire Protection District, and County Service Area No. 135. LAFCO staff, similarly, has not identified any disputes or related concerns involving other local agencies through the administrative review.

## CONCLUSION | MERITS OF REORGANIZATION TIMING

The timing of the reorganization to annex the affected territory to National City is warranted. Justification is marked by the preceding analysis and facilitates a known and otherwise orderly development project consistent with the City’s General Plan. Further, the reorganization readily syncs with the City’s existing infrastructure with sufficient capacities to accommodate the maximum potential demands projected within the affected territory post reorganization. Additional analysis supporting the conclusion is provided in Appendix A.

### Item No. 3 | Modifications and Terms

No modifications to the submitted reorganization have been identified by San Diego LAFCO staff meriting Commission consideration at this time. This includes confirmation that the annexation of the affected territory would not generate any corridors and/or otherwise illogical jurisdictional features. Further, standard approval terms appear appropriate.

<sup>7</sup> Enhancements, Sweetwater Rd Safety Enhancements, Sweetwater River Bikeway and Pedestrian ADA Improvement Project.  
The Executive Officer retains discretion to determine the extent of consultation needed.

Notwithstanding the preceding analysis, consideration of an otherwise warranted modification has been raised in the review of the reorganization involving the Port of San Diego – formally the San Diego Unified Port District. This otherwise warranted modification would involve expanding the proposal to include the concurrent annexation of the affected territory to the Port and in doing so keep the Port’s boundary consistent with National City as intended in the Port’s principal act. This type of ministerial action parallels LAFCOs consideration of city annexations with respect to conforming detachments from CSAs. Adding this modification to the proposal – however – is not recommended at this time in deference to allowing the Commission to first addressing its oversight role of the Port as part of Agenda Item No. 8a. Should the Commission determine the Port is subject to LAFCO oversight, it is advised the Commission work with Port on a comprehensive boundary clean up that includes the affected territory should it be annexed into National City.

#### CONCLUSION | MODIFICATIONS AND TERMS

No modifications appear warranted at this time. This includes – materially – deferring consideration of a conforming modification to annex the affected territory to the Port of San Diego for reasons detailed. Standard approval terms are recommended and include receipt of all remaining payments associated with the processing of the proposal by the Commission through recordation.

### 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 between the County of San Diego and the subject agencies for the proposed reorganization before San Diego LAFCO. The associated statutes also empower the County of San Diego to make all related property tax exchange determinations on behalf of cities and special districts without consultation unless the affected agencies request otherwise. LAFCO staff has confirmed the County has adopted a master property tax transfer resolution applicable to the proposed reorganization. The application of the County’s adopted master exchange resolution will result in National City receiving 46% of the County’s existing apportionment of the 1% property tax. This amount includes \$31.36 in property taxes being exchanged as a result of the detachment from South Bay ID. There are no property taxes to be exchanged involving detachment from Bonita-Sunnyside FPD and CSA 135.

#### Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission’s authority, either as a lead or responsible agency. The Commission is tasked with making two distinct findings under CEQA in consideration of the proposed reorganization. Staff’s analysis follows.

- San Diego LAFCO serves as lead agency under CEQA for the conforming sphere of influence amendment to Bonita-Sunnyside FPD. It is recommended the Commission find these actions a project under CEQA but exempt from further review under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres are planning policies and any amendments do not make any changes to the environment or authorize any new uses.
- National City serves as the lead agency under CEQA for the reorganization and principal action to annex the affected territory to the City as part of its discretion to approve the underlying development project. National City determined the project did not qualify for an exemption and proceeded to prepare an initial study, which identified potential significant environmental impacts in the categories of biological resources, cultural resources, tribal cultural resources, hydrology/water quality, and utilities/service systems. A Mitigated Negative Declaration (MND) was subsequently prepared and approved by National City on September 5, 2023.<sup>8</sup> Staff has independently reviewed the MND and believes it would be appropriate for the Commission to adopt the findings of the MND as responsible agency.<sup>9</sup>

## Protest Proceedings

Protest proceedings for the proposed reorganization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code Section 56662. This waiver appropriately applies given the affected territory is uninhabited as defined under LAFCO law (i.e., less than 11 voters), the subject agencies have not filed objections to the waiver, and the landowners have consented to the underlying action.<sup>10</sup>

## RECOMMENDATION

Staff recommends conditional approval of the reorganization proposal as submitted along with a conforming sphere of influence amendment as detailed. This recommendation and ancillary actions are consistent with 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 conditionally approving the reorganization proposal as submitted (no modifications) and conforming sphere of influence amendment as detailed along with making required findings under CEQA. Protest would also be waived.

### Alternative Two:

Continue consideration to the next regular meeting.

<sup>8</sup> National City also adopted a Mitigation Monitoring and Reporting Program (MMRP) to reduce identified impacts to less-than-significant levels.

<sup>9</sup> A copy of the initial study and MND are available online at [sdlafo.org](http://sdlafo.org).

<sup>10</sup> LAFCO law defines uninhabited as territory in which less than 11 registered voters reside.



Alternative Three:

Disapprove the reorganization 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 for action as part of a noticed public hearing. The following procedures are suggested.

1. Commissioner disclosures, if any.
2. Receive verbal presentation from staff unless waived.
3. Open the public hearing and invite testimony beginning with the applicant.
4. Discuss item and consider the staff recommendation.

On behalf of the Executive Officer,



Carolanne Ieromnimon  
Analyst II

Appendices:

- A) Analysis of Boundary Change Factors

Attachments:

- 1) Map of the Affected Territory
- 2) Draft LAFCO Resolution of Approval
- 3) Application Materials

## APPENDIX A

### Government Code Section 56668 Mandatory 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 populated areas; the likelihood of significant growth in the area in the next 10 years.**
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The affected territory as submitted comprises two unincorporated parcels in the community of Bonita that collectively span 2.16 acres total. One of the subject parcels (APN 591-100-31) is presently developed with an existing 1,612 square-foot single-family residence built in 1964 while the other parcel (APN 591-100-27) is presently undeveloped. The current assessed land value (land and structures) of the subject parcels' totals \$693,600 with the last transaction date recorded in December 2021.

- 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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National City would assume responsibility as primary purveyor of general governmental services to the affected territory following reorganization. This includes assuming responsibility from the County specific to land use and community planning, roads, and police protection. The City would also assume wastewater from South Bay Irrigation District and fire protection and emergency medical services from Bonita-Sunnyside FPD. Water service to the affected territory would remain the responsibility of the Sweetwater Authority. The most notable change in municipal services as proposed affects the provision of wastewater services to the affected territory and is the focus of the succeeding analysis.

- National City would directly assume wastewater service responsibilities for the affected territory upon the reorganization. An existing National City collection main is located immediately west of the affected territory within the public right-of-way Plaza Bonita Center Way as well as an additional connection traversing through the south of the parcel. LAFCO projects the average wastewater demands generated within the affected territory at its planned development would equal 1,900 gallons. This average demand projection is based on the development of 10 single-family residences with a per unit daily generation of 190 gallons. This projected demand equals 0.0592% of the available average day capacity currently available to National City at the City of San Diego's Point Loma Wastewater Treatment Plant.

- National City would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. The transition is contemplated in the National City's General Plan (2011) and further prescribed by the City rezoning the subject lots as Small-Lot Residential (RS-2).
- National City would formally assume integrated fire protection and emergency medical service responsibilities for the affected territory. This change would have minimal impact on service levels given National City. First-response would be provided from National City's Station No. 31, located nearby at 2333 Euclid Avenue. Response times to the affected territory are estimated to be less than 6 minutes (90% of the time) for priority calls and non-priority calls. Total response time would fall within the City's response time standard of 6 minutes or less (90% of the time) for urban areas and suburban areas.
- National City would formally assume police protection responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given National City's automatic aid agreement with the County Sheriff already commits the City to serve as first responder for all high proximity calls for the region given its proximity to City resources.

**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.**

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Approving the reorganization and annexation therein to National City would establish clear economic and social ties between the City and the affected territory. These existing social and economic ties are relatedly reflected in the Commission's standing inclusion of the affected territory within National City's sphere of influence.

**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.**

---

Approving the proposed reorganization and annexation to National City would facilitate the orderly and otherwise modest expansion of the City's jurisdictional boundary consistent with the sphere of influence. The affected territory does not contain "open space" as defined under LAFCO law and no conflicts exists under Government Code Section 56377. Additional analysis concerning conformance with germane Commission policies follows.

- San Diego LAFCO Policy L-107 requires applicants to disclose and address potential jurisdictional issues associated with their proposals, and if applicable, requires a consultation process with affected agencies, interested parties, or organizations to help discuss and potentially remedy concerns unless waived by the Executive Officer. No jurisdictional disputes or related concerns were identified or disclosed by the applicant, subject agencies, or interested parties 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 presently contain “agricultural land” as defined under LAFCO law. 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.

**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 that appears consistent with the standards of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on approval of the map and geographic description by the County Assessor’s Office and address any modifications enacted by the Commission.

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

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The proposal and its anticipated outcomes do not generate any known conflicts with *San Diego Forward*, the regional transportation plan established by the San Diego Association of Governments (SANDAG).

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

---

The affected territory is entirely unincorporated and under the land use authority of the County of San Diego and its adopted policies. Specific development policies for the affected territory are delegated in the County General Plan to the Sweetwater Community Plan (2011). The present land use designation applied to the affected territory is Semi-Rural Residential (SR-1), which provides up to one dwelling unit per one acre. The affected territory is zoned Rural Residential (RR) with a minimum lot size of 1.0 acres. National City separately designates the affected territory as Small-Lot Residential, with a pre-zoning assignment of RS-2, which prescribes a 0.14-acre – or 5,000 square foot - minimum lot size. This pre-zoning assignment provides a maximum density potential of the City’s land use authority of 6-9 dwelling units per acre. This sets the maximum intensity potential for the affected territory of up to 18 units. On September 5, 2023, National City approved the tentative subdivision map for the proposed 10-lot residential development and ancillary improvements associated with the affected territory and commonly known as the “Valley View Development Project”. This approval allows the construction of the minor subdivision consisting of 10 single-family residences and ancillary improvements. These planned uses are consistent with the proposal’s core purpose to annex the affected territory into National City.

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

---

See agenda report analysis.

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

---

Notice of the submitted reorganization proposal was distributed to all affected and subject agencies as required under LAFCO law. Notices were also provided to all local college and school districts. No written comments on the proposal were received ahead of preparing this agenda report for distribution on February 26, 2024.

**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 National City has overall sufficient and available financial resources and administrative controls therein relative to serving the affected territory without adversely impacting existing constituents. This statement is supported by the following factors.

- National City's last outside audit covers 2021-2022 and shows the City finished with sufficient liquidity levels with an agency-wide current ratio of 5.5 (i.e., \$5.5 in current assets for every \$1.00 in current liabilities).
- National City finished 2021-2022 with sufficient capital levels and marked by a debt ratio of 57.4% (i.e., only \$57.4 out of every \$100.00 in net assets are financed.)
- National City finished 2021-2022 with an overall total margin of (67.1%).

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

---

The affected territory's planned residential uses are presently within and connected to Sweetwater Authority's water system with wholesale supplies provided by the San Diego County Water Authority. Approval of the proposed reorganization would not affect these existing relationships and/or commitments. Further, Sweetwater Authority did not request any approval terms in the course of receiving a notice of review on the reorganization.



**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.**

---

The proposed reorganization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands are already assigned to National City by the region's council of governments. The proposed reorganization and annexation to National City would not affect this assignment.

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

---

The landowner has initiated the proposed reorganization. There are no residents or voters currently within the affected territory.

**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.**

---

The reorganization is expected to aid and/or otherwise promote environmental justice by enhancing the availability of wastewater service within the affected territory. This latter category – notably – includes low-income communities, communities of color, tribal nations, and other disadvantaged groups. Consideration of existing environmental justice factors within the affected territory draw on staff analyzing data available from the California Environmental Protection Agency through its online assessment tool (CalEnviroScreen 4.0). Two composite percentile rankings for the affected territory are generated within this analysis and involves (a) pollution burdens and (b) susceptible population to pollution burdens relative to all census tracts in California. These rankings follow.

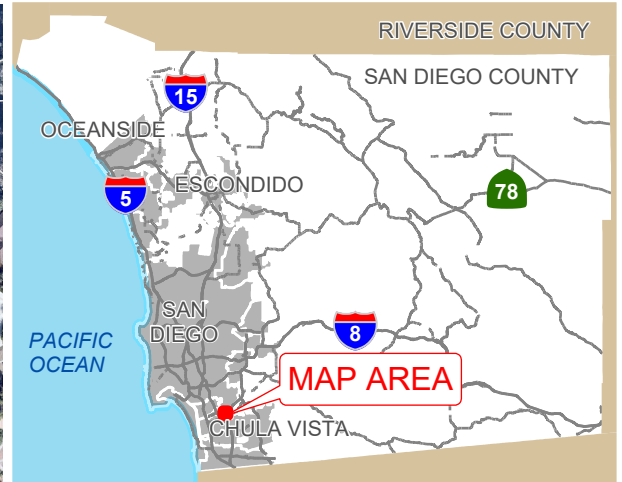
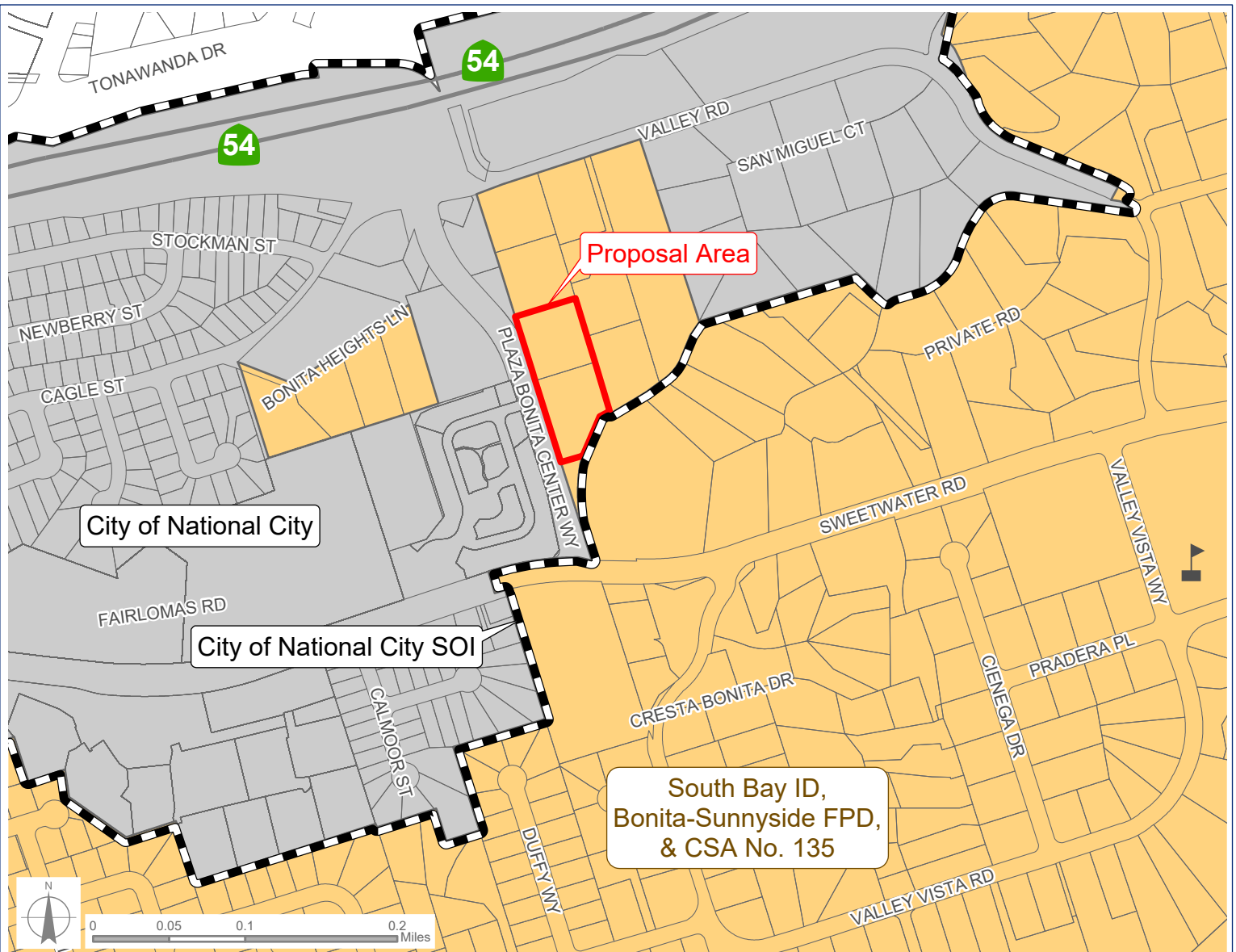
- The affected territory's **composite pollution burden ranking** falls in the thirty-seventh percentile with an internal range between 0 to 75 percentiles. Six pollution burden measurements exceed the 50 percentile and considered relatively high. These six measurements are relative to air quality (PM and diesel), toxic releases, traffic, hazardous waste and impaired water.
- The affected territory's **composite susceptible population** ranking falls in the thirty-seventh percentile with an internal range between 10 to 87 percentiles. One of these at-risk groups exceeds the 50 percentile and involves unemployed individuals.

A summary of all tracked pollution burdens and susceptible population follows.

Census Tract 6073003204	
Pollution Burdens and Susceptible Population	
Table 2.6a (Source: California Environmental Protection Agency and SD LAFCO)	
Factor	Census Tract 6073003204
No. of Census Tracts	1
Estimated Population within Tract(s)	3,285
Pollution Burden	Weighted Percentile
<b>... Percentile</b>	<b>36.81</b>
Indicator   Air Quality: Ozone	29.89
Indicator   Air Quality: PM 2.5:	50.34
Indicator   Air Quality: Diesel PM:	68.10
Indicator  Pesticides:	0.00
Indicator   Toxic Releases:	56.45
Indicator  Traffic:	75.10
Indicator   Drinking Water Contaminants:	33.43
Indicator   Lead in Housing:	36.86
Effects   Cleanup Sites:	0.00
Effects   Groundwater Threats:	0.00
Effects   Hazardous Waste:	57.46
Effects   Impaired Water:	72.15
Effects   Solid Waste:	0.00
Sensitive Population	Weighted Percentile
<b>... Percentile</b>	<b>36.62</b>
Population   Asthma:	28.00
Population   Low Birth Weight:	47.96
Population   Cardiovascular Disease:	10.01
Population   Education:	43.07
Population   Linguistic Isolation:	N/A
Population   Poverty:	38.91
Population   Unemployment:	87.06
Population   Housing Burden:	43.89

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 General Plan contains a hazard mitigation plan for potential fire, flooding, and earthquakes. The affected territory lies in an undesignated fire hazard zone and a lower-level earthquake hazard zone.



**RO23-01 "TUCKER - VALLEY ROAD REORGANIZATION" | ANNEXATION TO NATIONAL CITY WITH CONCURRENT DETACHMENTS FROM SOUTH BAY ID, BONITA-SUNNYSIDE FPD, & CSA NO. 135 WITH A RELATED SPHERE OF INFLUENCE AMENDMENT**

- City of National City SOI
- Proposal Area
- South Bay ID, B-S FPD, & CSA 135
- City of National City
- SOI = Sphere of Influence



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

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Created by Dieu Ngu -- 12/5/2023

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RESOLUTION NO. \_\_\_\_\_

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS and APPROVING A REORGANIZATION

“TUCKER - VALLEY ROAD REORGANIZATION”

ANNEXATION TO NATIONAL CITY WITH CONCURRENT DETACHMENTS FROM SOUTH BAY IRRIGATION DISTRICT, BONITA-SUNNYSIDE FIRE PROTECTION DISTRICT, AND COUNTY SERVICE AREA NO. 135 AND RELATED SPHERE OF INFLUENCE AMENDMENT  
LAFCO FILE NO. RO23-01

**WHEREAS**, on January 10, 2023, an interested landowner – Valley View Development LLC (Laurence Tucker) – 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 reorganization to annex approximately 2.16 acres of unincorporated territory to National City with concurrent detachments from South Bay Irrigation District, Bonita-Sunnyside Fire Protection District and County Service Area No. 135; and

**WHEREAS**, the affected territory as proposed includes two unincorporated legal parcels with one parcel developed with an existing single-family residence identified by the County Auditor and Assessor’s Office as 591-100-31; and one undeveloped parcel identified by the County Auditor and Assessor’s Office as 591-100-27; and

**WHEREAS**, an applicable master property tax transfer agreement applies to the proposed reorganization dated December 11, 1984; and

**WHEREAS**, the proposed reorganization necessitates the Commission consider certain conforming sphere of influence amendment to accommodate the jurisdictional change; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposed reorganization 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 March 4, 2024; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56425 and 56668 as well as adopted local policies and procedures.



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

1. The public hearing 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 hearing, the Commission called for, heard, and considered all public comments by interested parties and read and considered the Executive Officer's report.
3. The Commission is tasked under the California Environmental Quality Act (CEQA) in considering the potential impacts of the proposal as it separately relates to the (a) accommodating sphere of influence amendment and (b) reorganization itself. The Commission's findings follow.
  - a) San Diego LAFCO serves as lead agency under CEQA for the conforming sphere of influence amendment to Bonita-Sunnyside FPD. It is recommended the Commission find this action a project under CEQA but exempt from further review under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres are planning policies and any amendments do not make any changes to the environment or authorize any new uses.
  - b) National City serves as the lead agency under CEQA for the reorganization and principal action to annex the affected territory to the City as part of its discretion to approve the underlying development project. National City determined the project did not qualify for an exemption and proceeded to prepare an initial study, which identified potential significant environmental impacts in the categories of biological resources, cultural resources, tribal cultural resources, hydrology/water quality, and utilities/service systems. A Mitigated Negative Declaration (MND) was subsequently prepared and approved by National City on September 5, 2023. Staff has independently reviewed the MND and believes it would be appropriate for the Commission to adopt the findings of the MND as responsible agency.
4. The Commission CONDITIONALLY APPROVES the sphere of influence amendment for Bonita-Sunnyside Fire Protection District to accommodate and otherwise match the reorganization as shown in the vicinity map provided as "Exhibit A".
  - a) Approval is contingent upon the approval and related issuance of a Certificate of Completion for the reorganization.
  - b) Approval of the above-stated sphere of influence amendment include an enabling waiver by the Commission as recommended by the Executive Officer of the provision in L-106 that would otherwise match the reorganization as shown

in Exhibit A and does so by making the determinative statements covering the factors under Government Code Section 56425 provided in the Executive Officer's written report.

5. The Commission APPROVES the reorganization without modifications as described below and subject to conditions as provided. Approval involves all of the following:
  - a) Annexation of the affected territory to National City as shown in "Exhibit B-1" and described in "Exhibit B-2."
  - b) Detachment of the affected territory from Southbay Irrigation District, Bonita-Sunnyside Fire Protection District and County Service Area No. 135 as shown in "Exhibit B-1" and described in "Exhibit B-2."
6. The Commission CONDITIONS all approvals on the following terms being satisfied by March 4, 2025 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 \$100.00 for the County of San Diego-Clerk Recorder to reimburse for filing a CEQA Notice of Exemptions consistent with the findings in the resolution.
    - A check made payable to the State Board of Equalization for processing fees in the amount of \$350.00.
    - A check made payable to LAFCO to reimburse for the costs of noticing the proposal for the public hearing in the San Diego Union Tribune in the amount of \$1,594.04.
7. The Commission waives L-106 and the otherwise provision to prepare a municipal service review to inform the associated sphere of influence amendment authorized as part of this proposal.
8. The Commission assigns the proposal the following short-term designation:

"Tucker – Valley Road Reorganization"

9. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56079.5.
10. The Commission delegates conducting authority proceedings under Government Code Section 56662 to the Executive Officer.
11. The Southbay Irrigation District, Bonita-Sunnyside Fire Protection District and County Service Area No.135 are registered-voter districts.
12. The Southbay Irrigation District, Bonita-Sunnyside Fire Protection District and County Service Area No.135 all utilize the County of San Diego assessment roll.
13. The affected territory will be liable for any existing bonds, contracts, and/or obligations of National City as provided under Government Section 57328.
14. The effective date of the approval shall be the date of recordation but not before the completion of a 30-day reconsideration period and conducting authority proceedings and only after all terms have been completed as attested by the Executive Officer.
15. 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.
16. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in Sections 56880-56882 of the Government Code.
17. 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 4<sup>th</sup> of March, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\*\*

Attest:

---

Keene Simonds  
Executive Officer

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**EXHIBIT A**  
**VICINITY MAP OF THE AFFECTED TERRITORY**  
**SPHERE OF INFLUENCE AMENDMENT TO BONITA-SUNNYSIDE FPD**

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**EXHIBIT B-1**  
**MAP OF THE AFFECTED TERRITORY**

-Placeholder-

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**EXHIBIT B-2**  
**DESCRIPTION OF THE AFFECTED TERRITORY**

-Placeholder-

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**SAN DIEGO LOCAL AGENCY FORMATION COMMISSION  
CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION**

**RECEIVED**

**JAN 10 2023**

The following information must be submitted when filing a change of organization or reorganization proposal with the San Diego Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

**SAN DIEGO LAFCO**

1. **Completed CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION.**
2. (a) **A certified resolution of application** from an affected city or district; or  
(b) **A landowner or registered voter petition** making application to San Diego LAFCO (available from LAFCO or <http://www.sdlafco.org/forms/petition.pdf>).
3. **A metes-and-bounds legal description of the proposal territory perimeter** for the proposed boundary change(s), a **reproducible parcel/plat map**, and a **vicinity map**. For information about mapping requirements, refer to: [http://www.sdlafco.org/forms/legal\\_description.pdf](http://www.sdlafco.org/forms/legal_description.pdf), and contact the County Assessor's Mapping Division at 619/531-5588. The Thomas Brother's Guide may be used for the vicinity map.
4. **Environmental documentation** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only:
- (a) **INITIAL STUDY:** Submit completed form (available from LAFCO) if no environmental review has been conducted;
- (b) **CATEGORICAL EXEMPTION:** Submit document if an agency has certified that the project qualifies for a categorical exemption from CEQA;
- (c) **NEGATIVE DECLARATION (ND):** Submit document with certifying resolution and Initial Study\*;
- (d) **ENVIRONMENTAL IMPACT REPORT (EIR):** Submit 15 copies of the Final EIR and certifying resolution, plus one copy of the EIR Appendix\*.
- \* For an ND or EIR, a copy of the receipt for the fee paid to the California Department of Fish and Game must be submitted.
5. If annexation to a city is proposed, submit one copy of the **city resolution approving rezoning and general plan land-use designations** for the proposal territory.
6. **JURISDICTIONAL CONFLICTS:** If the response to question number 6 on page 3 is "Yes", complete and sign the Policy L-107 form at <http://www.sdlafco.org/forms/Legislative Policy L 107.pdf>.
7. **Completed CAMPAIGN CONTRIBUTION DISCLOSURE FORM AND EVALUATION CHECKLIST for DISCLOSURE OF POLITICAL EXPENDITURES** (pages 7 and 8 of application).
8. **PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY** (page 9 of application).
9. **Completed SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM** (pages 10-12 of application) from each subject agency.
10. **LAFCO processing fees.** The San Diego LAFCO FEE SCHEDULE is available at <http://www.sdlafco.org/document/feeschedule.pdf>, or contact LAFCO staff.

**SAN DIEGO LOCAL AGENCY FORMATION COMMISSION  
9335 Hazard Way · Suite 200 · San Diego, CA 92123  
(858) 614-7755 · [www.sdlafco.org](http://www.sdlafco.org)**



RECEIVED

CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION No 2023

The information in this application is used by LAFCO staff to evaluate proposals for changes of government organization. Please respond to all items in this form, indicating "NA" when an item does not apply.

SAN DIEGO LAFCO

SUBJECT AGENCY(IES) (City or Special District)	PROPOSED CHANGE OF ORGANIZATION/ACTION (Annexation, detachment, sphere amendment, etc.)
1. <u>County of San Diego (Bonita)</u>	1. <u>City of National City</u>
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____

As part of this application, the City of National City or the \_\_\_\_\_ District, Valley View Dev, LLC (the applicant), and/or the \_\_\_\_\_ (real party in interest): subject landowner and/or registered voter agrees to defend, indemnify, hold harmless, and release the San Diego LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any or all of them, the purpose of which is to attack, set aside, void, or annul San Diego LAFCO's review, approval or denial of this application or adoption of or refusal to adopt the environmental document which accompanies it or any other action San Diego LAFCO takes with respect to this application. This defense and indemnification obligation shall include, but not be limited to, attorneys' fees, expert witness fees and other costs of defense, damages, costs, and expenses, including attorney fees payable to another party. Applicant and/or real party in interest agree that San Diego LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest and that San Diego LAFCO's taking such action does not limit the obligations to indemnify and reimburse San Diego LAFCO's defense costs. This defense and indemnification obligation shall apply whether or not there is concurrent passive or active negligence on the part of the San Diego LAFCO, its agents, officers, attorneys, or employee. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. San Diego LAFCO's acceptance of this application is sufficient to make this agreement a binding, bilateral contract between us.

I acknowledge that annexation to the city of National City or the \_\_\_\_\_ district may result in the imposition of taxes, fees and assessments existing within the (city or district) on the effective date of annexation. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot proceeding or an election on those existing taxes, fees and assessments.

Agreed:

Signature: Laurence Tucker Date: 01/10/2022

Print/Type Name: Laurence Tucker, Valley View Dev LLC

Address: 2575 University Ave.

San Diego, CA 92104 Telephone: (619) 988-5850

Property Address: 3410 Valley Rd. Bonita, CA 91902

Cross Street(s): Plaza Bonita Center Rd

Assessor Parcel Number(s): 591-100-27-00, 591-100-31-00 Acres: 2.16

Indicate below if anyone, in addition to the person signing this application, is to receive notices of these proceedings.

Name: Larry Dutton, Alidade Engineering

Address: 28936 Old Town Front St., #205

Temecula, CA 92590 Telephone: (619) 787-1550

**A. PROPOSAL DESCRIPTION/JUSTIFICATION**

1. Explain in detail why the proposal is necessary *at this time* (e.g., condition of an approved tentative map, an existing structure requires new services, etc.). \_\_\_\_\_

The county of San Diego desperately needs more housing and since the property is in the county of San Diego/Bonita. The site is currently zoned RR with a minimum 1 acre lot size.

Annexing to National City would allow us to increase the density to 1 D.U. per 5,000sqft.

2. Describe the use of *developed* property within the proposal territory, including details about existing structures. Describe anticipated development of *vacant* property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur. \_\_\_\_\_

Currently parcel 591-100-27 is a vacant lot parcel 591-100-31 has a single family home on it that was built in 1964 and is approximately 1,612sqft

We are proposing to build a planned development with 10 dwelling units total.

5 of them 4bd/2.5ba 1,800sqft and 5 3bd/2ba 1,600sqft new construction modern homes.

3. Describe the topography and physical features of the proposal territory, as well as its general location in relation to communities, major freeways/highways, roads, etc. \_\_\_\_\_

The site is located on Plaza Bonita Center Way off the State Route 54 southbound exit before Sweetwater Rd.

The topography is mostly gentle with an average slope of approximately 1.8%. There is a jurisdictional creek that runs through the south portion of the site, that creek will remain intact.

4. How many residents live within the proposal territory? 0

5. How many of these residents are registered voters? 0

6. Are there any jurisdictional issues associated with the LAFCO proposal or pending LAFCO action?

NO  YES (If yes, please complete the Policy L-107 form at [http://www.sdlafco.org/forms/Legislative\\_Policy\\_L\\_107.pdf](http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf))

**B. LAND USE INFORMATION**

**GENERAL PLAN AND ZONING:**

If the proposal territory is *not* within an incorporated city, San Diego County General Plan and zoning information may be obtained by calling (858) 565-5981 or toll-free (888) 267-8770 with the Assessor Parcel Number(s) of the subject property. If the proposal territory is within a city, please call the appropriate city's planning department for General Plan and zoning information.

1. COUNTY:

(a) The territory is within the County of San Diego community plan.

(b) The County General Plan or community plan designation and allowed density: 1 dwelling unit per acre

(c) Current County zoning and allowed density: zoning is RR (Rural Residential) & density is 1 D.U. per acre

2. CITY:

(a) The territory is within the general plan area for the City of National City

(b) The City General Plan land use designation and allowed density: Land use for the site is vacant + single family detached and is medium density residential (up to 9.0 D.U./acre)

(c) Current City zoning and allowed density: low medium residential and up to 9.0 D.U./acre

(d) Current City rezoning and allowed density: \_\_\_\_\_

3. Indicate below **all** permits or approvals that will be needed by the County or any city to complete the project. If already granted, please note the date of approval and attach a copy of each resolution of approval. If approval is pending, please note the anticipated approval date.

Type of Approval or Permit	File No.	Approval Date	Is Resolution Attached?
Tentative Subdivision Map			<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Tentative Parcel Map			<input type="checkbox"/> YES <input type="checkbox"/> NO
Major Use Permit			<input type="checkbox"/> YES <input type="checkbox"/> NO
City/County General Plan Amendment			<input type="checkbox"/> YES <input type="checkbox"/> NO
City Rezoning			<input type="checkbox"/> YES <input type="checkbox"/> NO
County Rezone			<input type="checkbox"/> YES <input type="checkbox"/> NO
(Other)			<input type="checkbox"/> YES <input type="checkbox"/> NO

4. Describe the land uses surrounding the proposal territory (e.g., residential, commercial, agricultural, industrial, open space, etc.).

North: Single family residential East: Single family residential  
 South: Single family residential West: Single family residential

5. Indicate with a  if any portion of the proposal territory contains the following:

- Agricultural land uses       Agricultural Preserve
- Open Space Easement       Slopes greater than 25%
- Sewer moratorium area       Coastal Permit Zone
- Unusual features such as: Jurisdictional waterway

6. For city annexation proposals: Is any part of the proposal territory under a Williamson Act contract? If yes, please contact the LAFCO office for special instructions regarding petition/resolution of application requirements.  YES  NO

**C. PUBLIC SERVICES INFORMATION**

**SEWER SERVICE:**

- 1. (a) Is the proposal territory within a district or city that provides public sewer service?  YES  NO  
(b) *If yes*, which agency? County of San Diego
- 2. (a) Is a developed parcel in need of annexation due to failed septic system?  YES  NO  
(b) *If yes*, include a copy of any letters from the San Diego County Department of Environmental Health or private septic-system company.  
(c) *If no*, is annexation for sewer service part of this application?  YES  NO
- 3. If annexation for sewer service is proposed, which district or city would serve the territory if this jurisdictional change is approved? National City
- 4. (a) Has the agency that will be providing service issued a letter of sewer availability?  YES  NO  
(b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)
- 5. (a) Will the agency be prepared to furnish sewer service upon annexation?  YES  NO  
(b) *If no*, please explain: \_\_\_\_\_  
\_\_\_\_\_

**WATER SERVICE:**

- 1. (a) Is the proposal territory within a district or city that provides public water service?  YES  NO  
(b) *If yes*, which agency? Sweetwater Authority
- 2. Is a well or other on-site water system currently used on the property?  YES  NO
- 3. Is an on-site system proposed to be used when the property is developed?  YES  NO
- 4. (a) Is annexation for water service part of this application?  YES  NO  
(b) *If yes*, which district or city would serve the territory if this jurisdictional change is approved? \_\_\_\_\_  
(c) Will the agency that will be providing service be prepared to furnish water service upon annexation?  YES  NO
- 5. (a) Has the agency that will be providing service issued a letter of water availability?  YES  NO  
(b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

**FIRE PROTECTION SERVICES: NOTE:** Complete the following section *only* if annexation to a fire protection service provider is proposed—or if the current fire protection service provider is proposed to change.

1. (a) Is the proposal territory *currently* within an agency that provides fire protection?  YES  NO

(b) *If yes*, provide name and address/location of current fire service provider

Bonita-Sunnyside Fire Protection District

4900 Bonita Rd. Bonita, CA 91902

(c) Provide estimated response times to the proposal territory:

priority 4 minutes; non-priority 5 minutes

2. Is annexation for fire protection service part of this application?  YES  NO

3. Which city or district would serve the proposal territory if this jurisdictional change is approved?

National City Fire Dept

(a) Location/address of the proposed fire service provider: \_\_\_\_\_

2333 Euclid Ave. National City, CA 91950

(b) Estimated response times to the proposal territory:

Priority 4 minutes; non-priority 5 minutes

**POLICE PROTECTION SERVICES: NOTE:** Complete the following section *only* if the police protection provider is proposed to change.

1. Which police agency *currently* serves the proposal territory?

N/A

(a) Location/address of nearest police station: \_\_\_\_\_

(b) Estimated response times to the proposal territory: priority \_\_\_\_\_ minutes; non-priority \_\_\_\_\_ minutes

2. Which police agency would serve the proposal territory if this jurisdictional change is approved?

(a) Location/address of nearest police station: \_\_\_\_\_

(b) Estimated response times to the proposal territory:

Priority \_\_\_\_\_ minutes; non-priority \_\_\_\_\_ minutes

## CAMPAIGN CONTRIBUTION DISCLOSURE PROVISIONS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308, and the Regulations of the Fair Political Practices Commission (FPPC), Section 18438.

**Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Disclosure Form must be completed and returned to San Diego LAFCO with your application.**

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party<sup>1</sup> or agent<sup>2</sup> while a change of organization proceeding is pending, and for three months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for three months following the date a final decision is rendered by LAFCO.

3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

<sup>1</sup> "Party" is defined as any person who files an application for, or is the subject of, a proceeding.

<sup>2</sup> "Agent" is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

Names of current LAFCO commissioners are available at <http://www.sdlafco.org/document/CommRoster.pdf>. If you have questions about Government Code Section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact San Diego LAFCO at 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755.

## CAMPAIGN CONTRIBUTION DISCLOSURE FORM

(a) Proposed change(s) of organization: \_\_\_\_\_  
N/A

(b) Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_

(c) Date and amount of contribution:

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

(d) Name of commissioner to whom contribution was made:

1. \_\_\_\_\_
2. \_\_\_\_\_

(e) I certify that the above information is provided to the best of my knowledge.

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_ Phone \_\_\_\_\_

To be completed by LAFCO:

Proposal:

Ref. No.

### CAMPAIGN CONTRIBUTION DISCLOSURE PROVISIONS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308, and the Regulations of the Fair Political Practices Commission (FPPC), Section 18438.

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2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for three months following the date a final decision is rendered by LAFCO.

3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

<sup>1</sup> "Party" is defined as any person who files an application for, or is the subject of, a proceeding.

<sup>2</sup> "Agent" is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

Names of current LAFCO commissioners are available at <http://www.sdlafco.org/document/CommRoster.pdf>. If you have questions about Government Code Section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact San Diego LAFCO at 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755.

### CAMPAIGN CONTRIBUTION DISCLOSURE FORM

(a) Proposed change(s) of organization: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

- 1. \_\_\_\_\_  
\_\_\_\_\_
- 2. \_\_\_\_\_  
\_\_\_\_\_

(c) Date and amount of contribution:

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_  
Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

(d) Name of commissioner to whom contribution was made:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

(e) I certify that the above information is provided to the best of my knowledge.

Printed Name Josue Arturo Valdez  
DocuSigned by: Josue Arturo Valdez  
Signature Josue Arturo Valdez  
Date 2/26/2024 Phone 619-988-5850

To be completed by LAFCO:

Proposal:  
Ref. No.



## DISCLOSURE OF POLITICAL EXPENDITURES

Effective January 1, 2008, expenditures for political purposes, which are related to a change of organization or reorganization proposal that will be or has been submitted to LAFCO, are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

*Please carefully read the following information to determine if reporting and disclosure provisions apply to you.*

- Any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 (Government Code Section 81000 et seq.) as provided for local initiative measures, and Section 56700.1 of the Cortese-Knox-Hertzberg Act of 2000.
- Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be filed with the Secretary of State and the appropriate city or county clerk. Copies of the report must also be filed with the Executive Officer of San Diego LAFCO.
- A roster of current San Diego LAFCO commissioners is available from the LAFCO office: 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755, or from <http://www.sdlafco.org/document/CommRoster.pdf>

## EVALUATION CHECKLIST FOR DISCLOSURE OF POLITICAL EXPENDITURES

The following checklist is provided to assist you in determining if the requirements of Government Code Sections 81000 et seq. apply to you. For further assistance contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes

No

Date of contribution \_\_\_\_\_ Amount \$ \_\_\_\_\_

Name/Ref. No. of LAFCO proposal \_\_\_\_\_

Date proposal submitted to LAFCO \_\_\_\_\_

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes

No

Date of contribution \_\_\_\_\_ Amount \$ \_\_\_\_\_

Name/Ref. No. of LAFCO proposal \_\_\_\_\_

Date proposal submitted to LAFCO \_\_\_\_\_

3. If you have filed a report in accordance with FPPC requirements, has a copy of the report been filed with San Diego LAFCO?

Yes

No

## PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY

Note: Processing of jurisdictional boundary change proposals, which involve *uninhabited*<sup>1</sup> territory, can be expedited by approximately 60 days if all affected landowners consent to the proposal. If you wish to take advantage of this option, please return the completed PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY to San Diego LAFCO with your application for a jurisdictional boundary change. If consenting signatures of **100%** of the affected property owners are affixed and LAFCO does not receive any opposition from subject agencies, the Commission may consider the proposal without public notice, public hearing and/or an election.

<sup>1</sup> Territory included within a proposed boundary change that includes less-than 12 registered voters is considered *uninhabited* (Government Code 56045).

The undersigned owners(s) of property hereby consent(s) to inclusion of that property within a proposed change of organization or reorganization consisting of:

(Please list all proposed actions)

Annexation to: 1. City of National City  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_


Detachment from: 1. Southbay Irrigation District  
 2. Bonita-Sunnyside Fire Protection District  
 3. County Service Area XD. 135

	<u>Date</u>	<u>Signature</u>	<u>Assessor's Parcel Number(s)</u>
1.	12/08/2022		591-100-27
2.	12/08/2022		591-100-31
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

Attach additional sheets if necessary

## SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM

NOTE: A copy of this form must be completed and signed by each local agency that will gain or lose territory as a result of the proposed jurisdictional boundary change. Attach additional sheets if necessary.

	MARTIN REEDER, AICP
Signature of agency representative PLANNING MANAGER	Print name
Title 619-336-4323	Date 12/8/2022
Telephone	Date

### A. JURISDICTIONAL INFORMATION:

Name of agency: \_\_\_\_\_  
City of National City

1. Is the proposal territory within the agency's sphere of influence? Yes  No
2. Upon annexation, will the proposal territory be included within an assessment district and be subject to assessment for new or extended services? Yes  No
3. Does the agency have plans to establish any new assessment district that would include the proposal territory? Yes  No
4. Will the proposal territory assume any existing bonded indebtedness? Yes  No   
 If yes, indicate any taxpayer cost: \$ \_\_\_\_\_
5. Will the proposal territory be subject to any special taxes, benefit charges, or fees? Yes  No   
 If yes, please provide details of all costs: \_\_\_\_\_
6. Is the agency requesting an exchange of property tax revenues as a result of this proposal? Yes  No
7. Is this proposed jurisdictional change subject to a master property tax agreement or master enterprise district resolution? Yes  No
8. FOR CITY ANNEXATIONS: Does the proposal territory contain existing commercial development that generates retail sales of ten million dollars or more per year? Yes  No
9. FOR CITY ANNEXATIONS: If any part of the proposal territory is under a Williamson Act contract, please contact the LAFCO office for special instructions regarding petition or resolution of application requirements.

**EXPEDITED PROPOSAL PROCESSING:** Processing of jurisdictional boundary change proposals can be expedited by approximately 60 days if all affected landowners consent to the waiver of protest and termination (conducting authority) proceedings and subject agencies do not oppose the waiver. If you do NOT want to waive these proceedings, then attach a written statement to the subject agency information form containing a signature, date, and declaration of opposition to a waiver of such proceedings.

**B. SEWER SERVICE:**

1. What is the agency's current wastewater treatment capacity (expressed in million gallons per day and equivalent dwelling units)? 240 MGD (City of San Diego)  
Point Loma Wastewater Treatment Plant

2. What is the average volume of influent currently being treated by the agency (expressed in million gallons per day and equivalent dwelling units)? 3.89 MGD

3. (a) What is the agency's peak flow volume (expressed in million gallons per day)?  
4.656 on 01/20/2017

(b) What is the agency's peak flow capacity (expressed in million gallons per day)?  
7.1 MGD

(c) Has the agency exceeded the flow (peak) capacity within the past two years?

(d) *If yes*, please describe the frequency and volume of incidents that exceeded the agency's peak capacity: \_\_\_\_\_

YES  NO

4. (a) Has the agency issued a letter of sewer availability for the proposal territory?

(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

YES  NO

5. (a) How many future equivalent dwelling units have been reserved or committed for proposed projects? \_\_\_\_\_

(b) Can all projects that have received commitments of sewer availability (e.g., "will serve letters") be accommodated with planned capacity?

YES  NO

6. (a) Does the agency have the necessary contractual and/or operational treatment capacity to provide sewer service to the proposal territory?

(b) *If yes*, please specify the proposal territory's estimated sewer demand and the agency's available sewer capacity (expressed in million gallons per day and equivalent dwelling units):

Estimated Demand: .0144 MGD

Available sewer capacity: 2.4MGD

(c) *If no*, please describe the agency's plans to upgrade capacity to resolve any capacity related issues: \_\_\_\_\_

YES  NO

7. Will the proposal territory be annexed to a sewer improvement district?

YES  NO

8. (a) The distance for connection of the proposal territory to the agency's existing sewer system is 38 feet.

(b) Describe the location of the connection to the agency's existing sewer system:

Existing 8" sewer main on property frontage along Sweetwater Rd.

**C. WATER SERVICE:**

1. (a) Does the subject agency have adequate water supply and sufficient contractual and/or operational capacity available to serve the proposal territory?  YES  NO

(b) *If yes*, describe the proposal territory's estimated water demand and the agency's available water supply and capacity (expressed in acre-feet or million gallons per day):

\_\_\_\_\_

(c) *If no*, what plans does the agency have to increase its water capacity?

\_\_\_\_\_

2. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and method of financing (e.g., general property tax, assessment district, landowner or developer fees): \_\_\_\_\_
- \_\_\_\_\_

3. (a) Has the agency issued a letter of water availability for the proposal territory?  YES  NO

(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

4. (a) The distance for connection of the proposal territory to the agency's existing water system is <sup>5</sup> \_\_\_\_\_ feet.

(b) Describe the location of the connection to the agency's existing water system:  
5ft from the east curb

\_\_\_\_\_

5. (a) Is the agency currently under any drought-related conditions and/or restrictions?  YES  NO

(b) *If yes*, describe the conditions and specify any related restrictions:

\_\_\_\_\_

6. (a) Will the proposal territory utilize reclaimed water?  YES  NO

(b) *If yes*, describe the proposal territory's reclaimed water use and the agency's available reclaimed water supply and capacity (expressed in acre-feet or million gallons per day):

\_\_\_\_\_

(c) The distance for connection of the proposal territory to the agency's existing reclaimed water system is \_\_\_\_\_ feet.

(d) Describe the location of the connection to the agency's existing reclaimed water system: \_\_\_\_\_

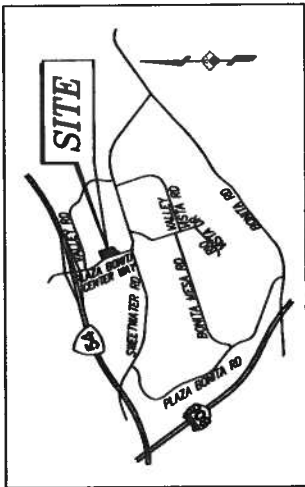
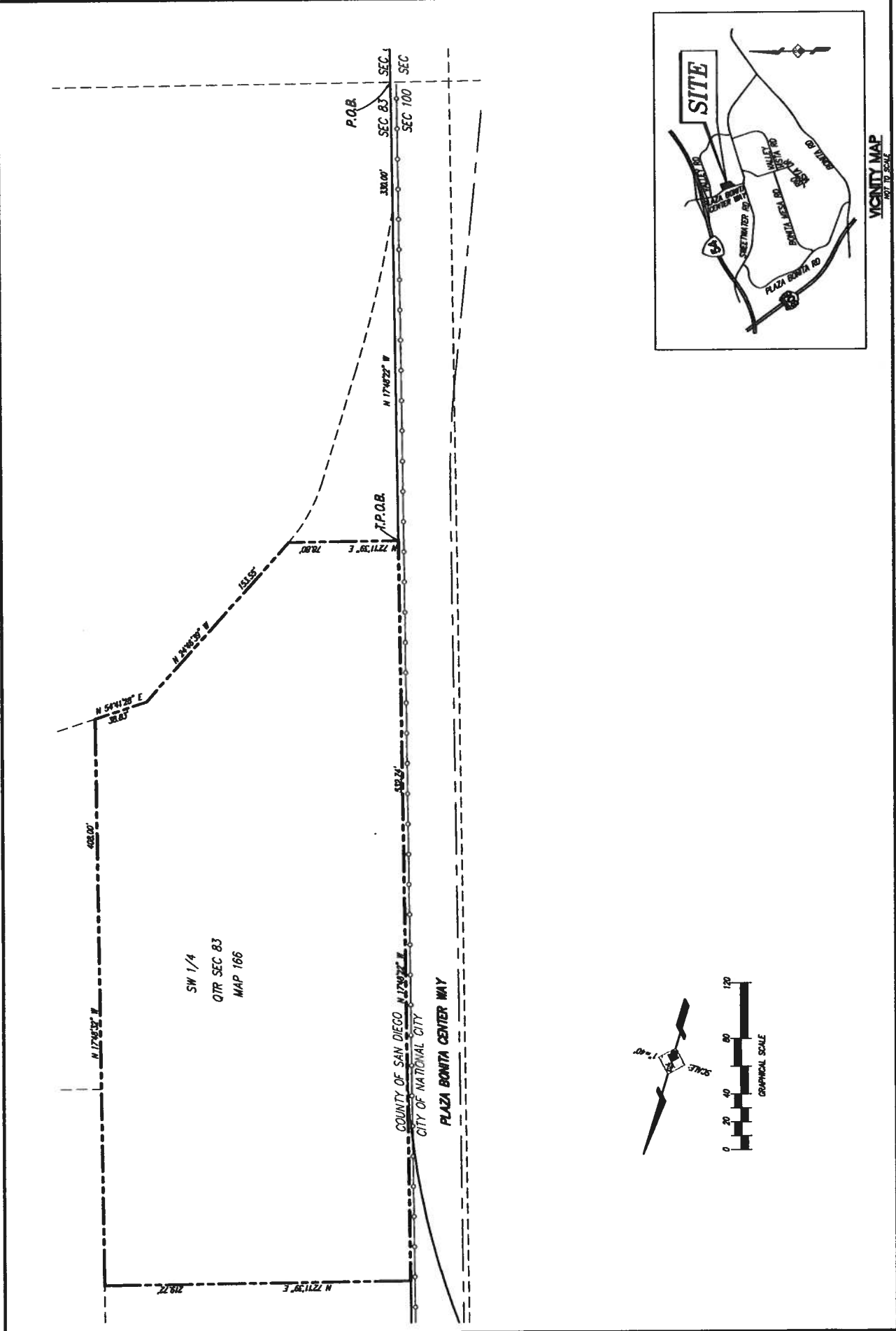
- (e) *If no*, has the agency considered availability of reclaimed water to the proposal territory?  YES  NO

(f) What restrictions prevent use of reclaimed water? \_\_\_\_\_

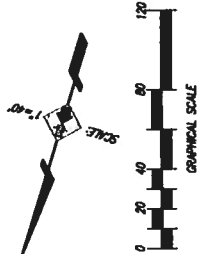
Sweetwater Authority does not have reclaimed water

\_\_\_\_\_

7. Will the proposal territory be annexed to an improvement district?  YES  NO



VICINITY MAP  
NOT TO SCALE



SW 1/4  
QTR SEC 83  
MAP 166

COUNTY OF SAN DIEGO  
CITY OF NATIONAL CITY  
PLAZA BONITA CENTER WAY

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 83 OF RANCHO DE LA NACION, ACCORDING TO MAP THEREOF NO. 166 BY MORRILL, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 83; THENCE ALONG THE WESTERLY BOUNDARY THEREOF NORTH 17°48'22 WEST 330.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 12°11'39" EAST 78.80 FEET; THENCE NORTH 24°46'39" EAST 153.55 FEET; THENCE NORTH 54°41'28" EAST 38.83 FEET; THENCE NORTH 17°48'32" WEST 408.00 FEET; THENCE SOUTH 72°11'39" WEST 219.72 FEET TO A POINT ON THE WESTERLY SECTION LINE OF SAID SECTION 83; THENCE SOUTHERLY ALONG SAID LINE SOUTH 17°48'22" EAST 532.74 FEET TO THE TRUE POINT OF BEGINNING.**

CONTAINS 2.451 ACRES, MORE OR LESS



# PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

## Part I: NOTICE OF INTENT TO CIRCULATE PETITION

Proponents are required to file a NOTICE OF INTENT TO CIRCULATE PETITION with the Executive Officer of the San Diego Local Agency Formation Commission before a petition to initiate a change of organization or reorganization can be circulated (Govt. Code § 56700.4).

1. Notice is hereby given to circulate a petition proposing to: Detachment of organization for both parcels of property located at 3410 Valley Rd. Bonita, CA 91902 and annexing property to city of National City

2. The reason(s) for the proposal are: To be able to bring more housing units to the county of San Diego  
Able to build more units with annexation to National City

_____ Proponent's Name (print)		DocuSigned by: <u>Josue Arturo Valdez</u> Signature of proponent or representative E809167C08D2407...	DocuSigned by: <u>Laurence Tucker</u> CDD1D9DFAC37415...
<u>Josue Arturo Valdez</u>	<u>Laurence Tucker</u>		
_____ Proponent's Address		_____ City, State, Zip	
<u>2575 University Ave San Diego, CA 92104</u>			

Pursuant to Section 56700.4 of the California Government Code, this NOTICE OF INTENT TO CIRCULATE PETITION was filed with me on \_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Officer (Print and Sign)

## PART II: DISCLOSURE REQUIREMENTS

The Political Reform Act prohibits a person appointed to the Local Agency Formation Commission from soliciting or accepting campaign contributions of more than \$250 within the preceding 12 months from parties, participants, or their agents while a proceeding is pending before LAFCO and for three months following the decision. LAFCO commissioners who receive such contributions are required to disqualify themselves from participating in the proceedings. Both commissioners and contributors who are parties to the proceeding are required to disclose the contributions received or made. Names of current LAFCO commissioners and LAFCO disclosure forms are available at [HTTP://WWW.SDLAFCO.ORG](http://www.sdlafco.org) or by calling 858/614-7755.

Pursuant to Government Code Section 56700.1, any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act (Title 9 [commencing with Section 81000]) as provided for local initiative measures.

Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be submitted to the Secretary of State and the appropriate city or county clerk. Copies of the reports must also be filed with the Executive Officer of San Diego LAFCO.

### Part III: PETITION FOR CHANGE OF ORGANIZATION OR REORGANIZATION

This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code, Section 56000 et seq. of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

(a) The specific change(s) of organization proposed is/are: Detachment from County of San Diego and associated organizations to annex to city of National City and associated organizations

(b) The boundary of the territory included in the proposal is as described in the attached legal description and map and is by this reference incorporated herein.

(c) The proposed action(s) will be subject to the following terms and conditions: \_\_\_\_\_

(d) The reason(s) for the proposal is/are: Annexing to National City and creating a planned subdivision allows us to build more housing units. We are proposing to build 10 new housing units once the property is annexed to National City

(e) Signers of this petition have signed as (select one):  landowner;  registered voter.

(f) The name(s) and mailing address(es) of the chief petitioner(s) (not to exceed three) is/are:

1. Josue Arturo Valdez 2575 University Ave San Diego, CA 92104  
Name of chief proponent (print) mailing address

2. Laurence Tucker 2575 University Ave San Diego, CA 92104  
Name of chief proponent (print) mailing address

3. \_\_\_\_\_  
Name of chief proponent (print) mailing address

(g) It is requested that proceedings for this proposal be taken in accordance with Section 56000 et seq. of the Government Code.

(h) This proposed change of organization (select one)  is  is not consistent with the sphere-of-influence of any affected city or district.

(i) The territory included in the proposal is (select one)  inhabited (12 or more registered voters)  uninhabited (11 or less registered voters).

(j) If the formation of a new district(s) is included in the proposal:

1. The principal act under which said district(s) is/are proposed to be formed is/are: \_\_\_\_\_

2. The proposed name(s) of the new district(s) is/are: \_\_\_\_\_

3. The boundary(ies) of the proposed new district(s) is/are described in the attached legal description and map and are by this reference incorporated herein.

(k) If an incorporation is included in the proposal:

1. The name of the proposed city is: \_\_\_\_\_

2. Provisions are requested for appointment of:  city manager  city clerk  city treasurer


(l) If the proposal includes a consolidation of special districts, the proposed name of the consolidated district is: \_\_\_\_\_

Part IVa: REGISTERED VOTER 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 registered voter within the County of San Diego.
- I personally affixed hereto the date of my signing this petition and my place of residence, or if no street or number exists, then a designation of my place of residence that will enable the location to be readily ascertained.

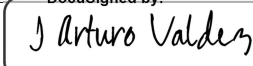
Name of Signer	Residence Address	Date Signed	Official Use
<p>DocuSigned by:                        Sign _____  <small>E809167C08D2407...</small>                      Print Josue Arturo Valdez _____</p>	<p>1892 Titus Street                      San Diego, CA 92110</p>	<p>2/26/2024</p>	
<p>Sign _____                      Print _____</p>			
<p>Sign _____                      Print _____</p>			
<p>Sign _____                      Print _____</p>			
<p>Sign _____                      Print _____</p>			
<p>Sign _____                      Print _____</p>			

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
DocuSigned by:  Sign _____ <small>E809167C08D2407...</small> Print <u>J Arturo Valdez</u>	591-100-27-00 591-100-31-00	2/25/2024	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

## 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).

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- 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.

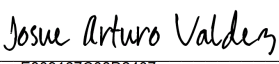
Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign <u><i>Laurence Tucker</i></u> Print <u>Laurence Tucker</u>	591-100-27-00 591-100-31-00	01/05/2023	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

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
<p>DocuSigned by:                        Sign _____  <small>E809167C08D2407...</small>                      Print <u>Josue Arturo Valdez</u></p>	<p>591-100-27-00 591-100-31-00</p>	<p>2/26/2024</p>	
<p>Sign _____ Print _____</p>			
<p>Sign _____ Print _____</p>			
<p>Sign _____ Print _____</p>			
<p>Sign _____ Print _____</p>			
<p>Sign _____ Print _____</p>			

## Part V: MINIMUM SIGNATURE REQUIREMENT FOR A SUFFICIENT PETITION UNDER THE PROVISIONS OF THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

**Reorganization**—Signatures must comply with the applicable signature requirements for each of the changes proposed (Govt. Code § 56864.1).

**District Formation**—Signatures as required by the principal act under which the new district is proposed to be formed (Govt. Code § 56860).

**Dissolution of a District**—For registered voter district: signatures by (a) not less than 10% of the registered voters within the district; or (b) not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.

—For landowner-voter districts: signatures by not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.

—If dissolution is for inactivity, the petition must be signed by three or more registered voters or landowners within the subject district and include statement and recitations as required by Govt. Code 56871 (Govt. Code § 56870).

**Consolidation of Districts**—For registered voter districts: signatures by not less than 5% of the registered voters within each of the districts.

—For landowner-voter districts: signatures by landowners-voters constituting not less than 5% of the number of landowner-voters owning land within each of the several districts who also own not less than 5% of the assessed value of land within each of the districts (Govt. Code § 56865).

**Merger of District with City or Establishment of a Subsidiary District**—For a registered voter district: signatures by (a) 5% of the registered voters of the district; or (b) 5% of the registered voters residing within the territory of the city outside the boundaries of the district.

—For a landowner-voter district: signatures by (a) 5% of the number of landowner-voters within the district; or (b) 5% of the registered voters residing within the territory of the city outside the boundaries of the district (Govt. Code § 56866).

**District Annexation or Detachment**—For a registered voter district: signatures by (a) not less than 25% of the number of registered voters within the territory proposed to be annexed or detached; or (b) not less than 25% of the number of landowners within the territory proposed to be annexed or detached who also own not less than 25% of the assessed value of land within the territory.

—For a landowner-voter district: signatures by not less than 25% of the number of landowners owning land within the territory proposed to be annexed or detached who also own not less than 25% of the assessed value of land within the territory (Govt. Code § 56864).

**Incorporation of a City**—Signatures by: (a) not less than 25% of the registered voters residing in the area to be incorporated; or (b) not less than 25% of the number of owners of land within the territory proposed to be incorporated who also own not less than 25% of the assessed value of land within the territory proposed to be incorporated (Govt. Code § 56764).

**Disincorporation of a City**—Signatures by not less than 25% of the registered voters residing in the city proposed to be disincorporated (Govt. Code § 56766).

**Consolidation of Cities**—Signatures by not less than 5% of the registered voters of each affected city (Govt. Code § 56766).

**Annexation to a City**—Signatures by: (a) not less than 5% of the number of registered voters residing within the territory proposed to be annexed; or (b) not less than 5% of the number of owners of land within the territory proposed to be annexed who also own 5% of the assessed value of land within the territory (Govt. Code § 56767).

**Detachment from a City**—Signatures by: (a) not less than 25% of the number of registered voters residing within the territory proposed to be detached; or (b) not less than 25% of the number of owners of land within the territory proposed to be detached who also own 25% of the assessed value of land within the territory (Govt. Code § 56768).



**RESOLUTION NO. 2023 - 128**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ANNEXATION OF TWO PROPERTIES LOCATED AT 3410 VALLEY ROAD (BONITA) AND THE TENTATIVE SUBDIVISION MAP FOR A 10-LOT RESIDENTIAL DEVELOPMENT AND AUTHORIZING THE FILING OF A NOTICE OF DETERMINATION.**

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on August 7, 2023, and considered the staff report, written public comments, and oral public testimony and recommended that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

**WHEREAS**, the City Council of the City of National City, California, considered said recommendation at a duly advertised public hearing held on September 5, 2023, at which time the City Council considered evidence; and

**WHEREAS**, at said public hearing the City Council considered the staff report provided for Case File No. 2022-13 IS, which is maintained by the City and incorporated herein by reference; along with any other evidence presented at said hearing; and

**WHEREAS**, this action is taken pursuant to all applicable procedures required by State law and City law; and

**WHEREAS**, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the evidence presented to the City Council at the public hearing held on September 5, 2023, support the following findings:

1. That the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, because mitigation measures identify remedies for potential biological and cultural impacts that may be identified during and after construction that will mitigate potential impacts to a less-than-significant level.
2. That the project does not have impacts that are individually limited but cumulatively considerable, because the project is an infill development on a partially-disturbed property and is mostly surrounded by urban development. Existing improvements in the

area and the existing development pattern can accommodate the project without causing any impacts to the environment or to existing services. In addition, mitigation measures identify remedies for potential biological and cultural impacts that may be identified during and after construction that will mitigate potential impacts to a less-than-significant level.

3. That the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, because the project is a low-intensity residential development. As determined by the Initial Study for the project, both short and long term activities will have a less than significant impact on air quality.
4. The proposed project has been reviewed in compliance with CEQA for which a Mitigated Negative Declaration (MND) has been prepared and, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in the Mitigation Monitoring and Reporting Program have been added to the project as conditions of approval.

**Section 2:** That the City Council has considered the proposed Negative Declaration No. 2022-13 IS, together with any comments received during the public review process, and finds on the basis of the whole record (including the Initial Study and any comments received) that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.

**Section 3:** The City Council hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, as attached as Exhibit 7 of the staff report, and authorizes the filing of a Notice of Determination.

**Section 4:** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 5<sup>th</sup> day of September, 2023.**

  
\_\_\_\_\_  
Ron Morrison, Mayor

**ATTEST:**

*for*   
\_\_\_\_\_  
Shelley Chapel, MMC, City Clerk

**APPROVED AS TO FORM:**

*for*   
\_\_\_\_\_  
Barry J. Schultz, City Attorney

Passed and adopted by the City Council of the City of National City, California, on September 5, 2023 by the following vote, to-wit:

Ayes: Bush, Rodriguez, Yamane, Molina, Morrison  
Nays: None.  
Absent: None.  
Abstain: None.

AUTHENTICATED BY: RON MORRISON  
Mayor of the City of National City, California

Shelley Chapel  
City Clerk of the City of National City, California



BY: *La Tonya Hussain*  
for Shelley Chapel, MMC, City Clerk

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