

Les Baugh
County Member

Pamelyn Morgan
City Member

Stan Neutze
City Member Alternate

Mark Mezzano
City Member

Irwin Fust
Special District Member

Mary Rickert
County Member Alternate

Brenda Haynes
Special District Member



Larry Russell
Public Member

Joe Chimenti
County Member

Fred Ryness
Special District Alternate

Katherine Ann Campbell
Public Member Alternate

George Williamson
Executive Officer

James M. Underwood
General Counsel

Kathy Bull
Office Manager

Agenda Item: 7.b.

Meeting Date: June 3, 2021

From: George Williamson AICP, Executive Officer

Subject: Proposed Bell Vista Water District Detachment

The Commission will consider proposal, submitted by resolution of application from Bell Vista Water District Board of Directors, for detachment of territory from the Bella Vista Water District

LAFCOs are responsible, under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes (annexations, detachments), consistent with adopted policies and procedures pursuant to California Government Code (G.C.) § 56375. LAFCOs have broad discretion in amending and conditioning changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

BACKGROUND

Bella Vista Water District (District or BVWD) was established in 1957 as a California Water District pursuant to California Water Code Division 13, and is an independent district with an elected Board of Directors. The District supplies agricultural, municipal, commercial, and institutional/public water to District customers. District water is supplied primarily from the Sacramento River. The distribution system includes ten pump stations, five water storage tanks, and five groundwater wells serving ten pressure zones. The District service area encompasses roughly 34,298 acres (about 54 square miles), with water service provided to an estimated 2020 population of 19,270 people. (Source: District data taken from BVWD "2015 Urban Water Management Plan Update")

The subject property, proposed to be detached from the BVWD is within the City of Redding incorporated area. The City's existing water service infrastructure has the capacity to provide water service to the subject property with no additional pipeline extension. The Detachment from the BVWD service area will make it possible for the property owner to directly connect the property to the City of Redding water system.

Reasons for Proposal

The subject property proposed for detachment (Shasta Co. AP No. 117-290-022) is at the South-West corner of the BVWD. The parcel is approximately 7 acres in size and is surrounded by developed residential uses. Currently the parcel is undeveloped, but is planned for 50 units (Planned Development) of small zero-lot line townhomes designed primarily for senior residents. That use is compatible with the surrounding City residential densities, and it is considered an "infill" project in an area already mostly built out. Proposed detachment from BVWD would make the City of Redding the provider of all municipal services. The Detachment is for a water service change only

Land Use Designations

The City General Plan 'Residential' designation for the site provides for a range of 10-20 units per acre generating 65 units minimum on the low end. City Policy CDD11B indicates that site constraints are allowed to be removed for purposes of calculating gross density. Based on constraints, the City determined the Planned Development to be consistent with the General Plan, The Redding City Council approved a Planned Development (PD-2019-01372) designation for the subject property, known as "Browning Crossing," a tentative subdivision map approval, and a rezoning for the 6.7 acre subdivision. This will create 50 lots for development of 25 duplex units (50 units total) as Browning Crossing Subdivision. This is also consistent with City 'RM-12' Zoning.

ANALYSIS

The proposal analysis is organized into two sections. The first section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCOs review boundary changes. The second section considers issues required by other applicable State statutes in processing boundary changes, such as environmental compliance with the California Environmental Quality Act.

Required Factors for Review

G.C. § 56668 requires the Commission to consider 16 specific factors anytime it reviews proposals for a change of organization. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process. An evaluation of these factors as it relates to the proposal follows.

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

The proposed detachment would cover 7 acres. Population would be increased as a result to the 50-unit development. The drainage course along the west side is vegetated but not projected to be disturbed with development.

2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, detachment, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

Pursuant to Government Code § 56653, a Plan for Services was prepared to evaluate the BVWD detachment and provisions of City services to the Planned Development. All City services were considered in the Planned Development proposal approved by the City of Redding. Existing City water services are closer to the subject property than BVWD services.

Fire Protection & Emergency Response

These services will be provided by the City of Redding. Fire Protection & Emergency Response impacts were analyzed under Initial Study Section XV Public Services and included in the Negative Declaration (IS/ND) the City prepared and adopted for the Planned Development, Rezoning and Subdivision. Per Redding Municipal Code Section 16.20 The project will pay Citywide Fire Impact Fees.

Law Enforcement

The proposed detachment territory is currently served by the City of Redding Police Department. There would be some increase in law enforcement demand due to the Planned Development. This was analyzed in the IS/ND the City prepared and adopted for the Planned Development, Rezoning and Subdivision.

Water and Wastewater

The City of Redding will provide potable water and wastewater services within their boundary. There would be some increased water consumption and wastewater generation. This was analyzed in the IS/ND the City prepared and adopted

Road Maintenance

No additional road maintenance impacts anticipated as Planned Development will be a gated community served by private roads. The project will include improvements to adjacent City Street frontages.

Medical Services

Medical and ambulance services are provided by City.

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

The detachment as proposed by the BVWD would be for a single property within the City of Redding.

4) 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 and priorities set forth in G.C. Section 56377.

The statutory goals of the LAFCO include the promotion of orderly growth and development by determining logical local boundaries [§56001], the preservation of open space by encouraging development of vacant land within cities before detachment [§56377(b)], and the preservation of prime agricultural land by guiding development away from presently undeveloped prime agricultural lands [§56377(a)]. The proposed uses in detachment territory comply with statutory goals discussed above.

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

There are no agricultural lands in the detachment territory. The detachment is not expected to have an adverse impact on agricultural lands.

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

A map and geographic description, which follows existing boundaries, will be required prior to filing a certificate of completion for the BVWD detachment of territory.

7) A regional transportation plan adopted pursuant to G.C. Section 65080.

The Shasta County Regional Transportation Plan (RTP) was updated in 2018 by the Shasta Regional Transportation Agency (SRTA) and is a long-range transportation planning document for Shasta County. As part of the RTP, SRTA developed a Sustainable Communities Strategy (SCS) as required under

California Senate Bill 375, the Sustainable Communities and Climate Protection Act of 2008 (SB 375) - addressing how the RTP will meet the region's greenhouse gas (GHG) emissions reduction targets.

8) Consistency with city or county general and specific plans.

As noted in Land Use Designations above the City determined the project to be consistent with the General Plan and Zoning, The Redding City Council approved a Planned Development (PD-2019-01371) Rezone (RZ-2020-00657), Subdivision (S-2019-01370).

9) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The detachment territory is located within the BVWD Boundary and Sphere of Influence (SOI), which was updated by the Commission in 2019. The SOI is not proposed to change due to this proposal.

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

The Districts provided notice to interested and subject agencies of its intent to adopt resolutions of application, pursuant to GC § 56654(c). Shasta LAFCO provided a notice of application filing to affected agencies and received no comments. Shasta LAFCO also prepared and released a Certificate of Filing to local agencies, setting the June 3 2021 Commission hearing date. A hearing notice was published in the Record Searchlight, and posted on the LAFCO website.

11) 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.

the City of Redding will provide municipal services.

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

Water supplies will be provided by the City of Redding. No capacity limitations have been identified and the need to increase system capacity as a result of the proposed detachment is not anticipated.

13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with § 65580) of Chapter 3 of Division 1 of Title 7.

The proposed detachment would not impact any local agencies in accommodating their regional housing needs. The City of Redding General Plan Housing Element addresses how regional housing needs allocations will be met. There are currently no increased residential designations or development plans for the proposed detachment territory.

14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

Notice was published in the newspaper of general circulation, for Shasta County, and posted on the Shasta LAFCO website.

15) Any information relating to existing land use designations.

See discussion in Section 8.

16) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.

The proposal will not result in inconsistencies with environmental justice safeguards. The detachment would result in public services for future residents.

Other Considerations

Environmental Review

An Initial Study was prepared for the tentative subdivision map on August 17, 2020. Based on findings of no significant impact the staff prepared a Negative Declaration, which was distributed to surrounding property owners and local agencies for public review. The Negative Declaration and its supporting documentation reflect the independent judgment and analysis of the City of Redding and after a public review period the IS/ND was adopted by the City. A copy of the IS/ND is on file at Shasta LAFCO offices.

Municipal Service Review and Sphere of Influence Update

The City of Redding Municipal Service Review (MSR) and SOI Update, reflects the District’s ability to serve the affected territory, and confirms the SOI.

Tax Revenue Sharing Agreement

California Revenue & Taxation Code 99(b)(5) provides for tax revenue sharing, This is not applicable, as the property is already in the City of Redding incorporated area.

Conducting Authority Proceedings

All Commission approved boundary changes are subject to conducting authority proceedings (i.e., protest hearing) unless waived in accordance with criteria outlined under G.C. § 56663. Due to 100% property owner consent the protest hearing may be waived.

RECOMMENDATION

APPROVE DETACHMENT FROM BELLA VISTA WATER DISTRICT SUBJECT TO CONDITIONS:

It is recommended the following condition of approval be applied with delegation to the Executive Officer to determine when the requested actions have been sufficiently satisfied before proceeding with a recordation.

- Completion of the 30-day reconsideration period provided under G.C. § 56895.
- Payment of any outstanding fees

Alternatives

Deny the detachment from BVWD.

Attachments: Boundary and Vicinity Maps
Shasta LAFCO Resolution 2021-10
Negative Declaration by Reference – posted on Shasta LAFCO website



Find address or place



(1 of 2) ✕

Parcel: 117-290-022

APN	117290022000
Situs Address	
Tax Rate Area	001113
Document Number	2010R0039454
Recorded Acres	7.00
Assessor Page	More info
Assessor Inquiry	More info
Taxroll Inquiry	More info

[Zoom to](#) ⋮



Redding

0.2 mi
122.363 40.599 Degrees

LAFCO RESOLUTION 2021-10

RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION BELLA VISTA WATER DISTRICT – DETACHMENT OF TERRITORY

WHEREAS, Property located at Browning Street and Churn Creek Road, Redding, CA (Shasta County Assessor's Parcel Number 117-290-022) is located in both the City of Redding's and Bella Vista Water District's jurisdictional boundaries and Shasta LAFCO's approved Spheres of Influence; and

WHEREAS, the applicant (Bella Vista Water District) submitted an application, requesting the subject property be detached from the District; and

WHEREAS, the application to LAFCO acknowledges that the City of Redding has reviewed a development proposal for the subject property, and has the capacity to provide City Services to the subject property; and

WHEREAS, The Bella Vista Water District passed Resolution 21-04, Requesting the Shasta Local Agency Formation Commission Initiate detachment proceedings, on April 26, 2021; and

WHEREAS, pursuant to CEQA Guidelines an Initial Study was prepared by the City of Redding for the development proposal on the subject property (Planned Development, Rezone, Subdivision). Based on findings of no significant impact the staff prepared a Negative Declaration, which was distributed for public review. The Negative Declaration and its supporting documentation were adopted by the City of Redding. As a responsible agency Shasta LAFCO adopts the IS/ND.

WHEREAS, Shasta LAFCO prepared notices for the proposed action, distributed to affected agencies, and posted to the LAFCO website; and

WHEREAS, in the manner required by law, the Executive Officer has noticed and scheduled the City proposal for Commission consideration on June 3, 2021; and

WHEREAS, pursuant to Government Code Section 56663, the conducting authority proceedings is waived with 100% consent from landowners within the proposed detachment area; and

WHEREAS, the Commission has heard, discussed and considered all evidence presented at a meeting held for the Bella Vista Water District detachment, on June 3 2021.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

The Commission hereby determines the detachment of property subject to the following conditions:

- A. Completion of a 30-day reconsideration period provided under Government Code Section 56895.
- B. Payment of any outstanding fees as identified in the Commission's adopted fee schedule.

Adopted on June 3 2021, by the following vote:

AYES:
NOES:
ABSTAINS:
ABSENT:

Dated: _____

Irwin Fust, Chairman
Shasta Local Agency Formation Commission

Attest:

Dated: _____

George Williamson, Executive Officer

Exhibit A – Map