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Larry Farr  
City Member  
  
Stan Neutze  
City Member  
  
Francie Sullivan  
City Member Alternate

Irwin Fust  
Special District Member  
  
Mary Rickert  
County Member Alternate  
  
Brenda Haynes  
Special District Member



Dick Fyten  
Public Member  
  
David Kehoe  
County Member  
  
Vacant  
Special District Alternate

Bob Richardson  
Public Member Alternate  
  
George Williamson  
Executive Officer  
  
James M. Underwood  
General Counsel  
  
Kathy Bull  
Office Manager

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## Agenda Item: 8.a

**Meeting Date:** April 6, 2017

**From:** George Williamson AICP, Executive Officer

**Subject: Proposed Annexation to CSA # 13 Alpine Meadows**

The Commission will consider a proposal submitted by resolution of application by the County of Shasta for annexation of approximately 1.8 acres (three parcels) of unincorporated territory located north of State Route 44 and East of Emigrant Trail in the unincorporated community of Shingletown.

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, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) § 56375. LAFCOs are authorized with 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

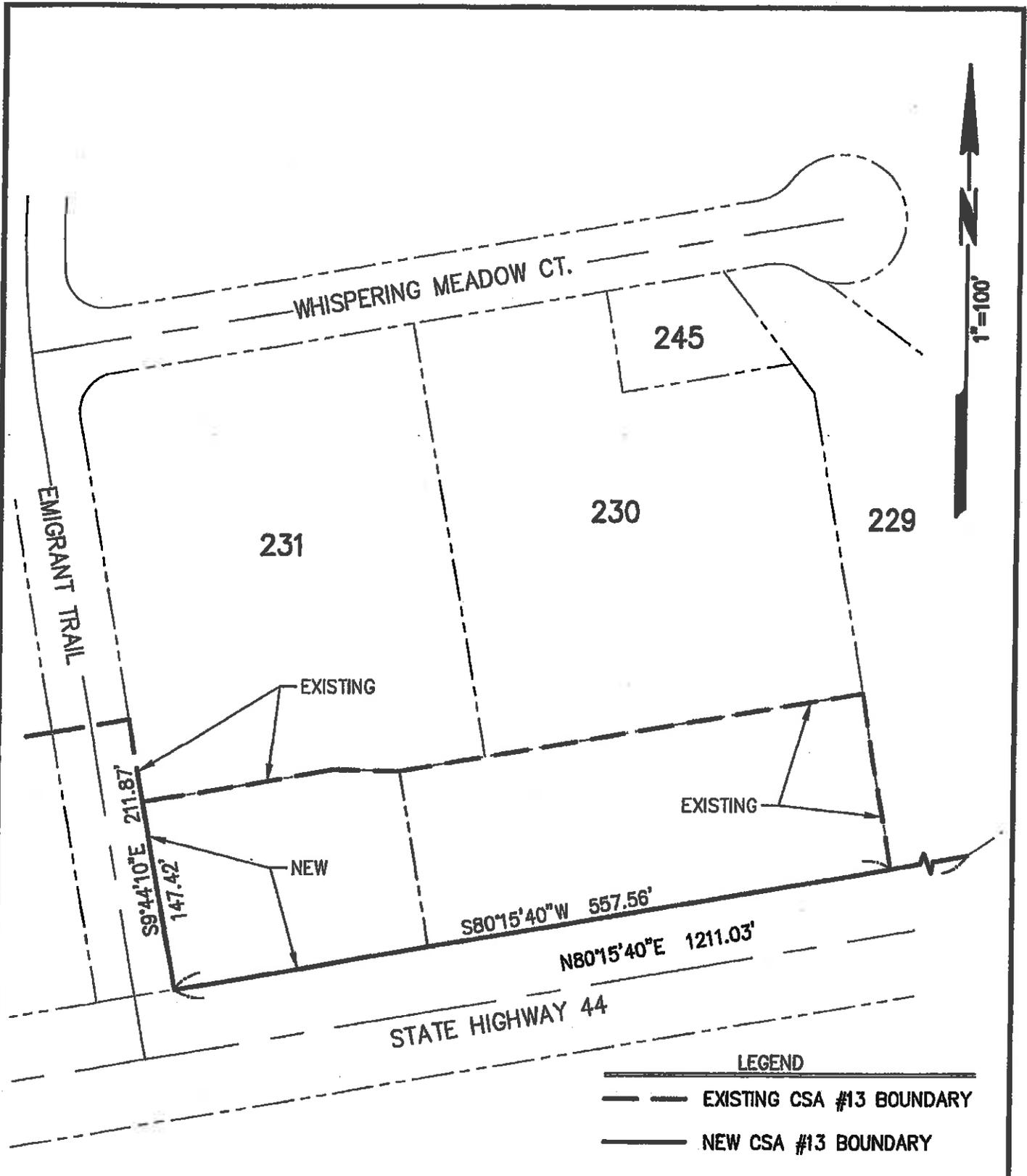
Proceedings for this annexation were initiated by resolution of application by the County of Shasta. The proposal includes annexation of approximately 1.8 acres (three parcels) generally located north of State Route 44 and East of Emigrant Trail in the unincorporated community of Shingletown and accessed by Emigrant Trail, (see Figure 1). Property owners within the proposed annexation area were notified of the County annexation application. Written letters of consent have been provided by all owners of record.

### Reasons for Proposal

The reasons for the annexation as set forth in the County proposal to LAFCo are as follows:

The County has submitted an application to Shasta LAFCo to annex 1.8 acres to County Service Area #13 -Alpine Meadows (CSA #13) to provide water services to a new commercial retail store. The County approved Use Permit 15-003 for a 9,100-square-foot general retail building and associated improvements, with conditions that will be implemented upon annexation approval. A copy of the Use Permit and conditions of approval are on file at the Shasta County Planning Department and the Shasta LAFCo offices, 1225 East Street, Suite 201 Redding CA 96001. A Mitigated Negative Declaration and Monitoring Plan approved by the County Planning Commission in April 21, 2016, and I certified by the County Board of Supervisors on August 23, 2016 are also on file at the Shasta County and LAFCo offices.

The area proposed for annexation is shown in Figure 1. This property is within the CSA13 Alpine Meadows Sphere of Influence.



LEGEND	
	EXISTING CSA #13 BOUNDARY
	NEW CSA #13 BOUNDARY

DATE  
11/15/16



EXHIBIT A

JOB #2444.04

**Provision of Public Services**

A Plan for Services was prepared by the Shasta County for the proposed annexation. As proposed, CSA #13 would be responsible for water service upon annexation. CSA #13 would connect the property to the existing water system, to serve area development and/or to address water quality or capacity limitations. The service extension costs would be borne by the property owner(s). The County indicates there is sufficient capacity to serve the annexation area. There would be no change in fire protection services provided CSA #1. Wastewater treatment would be provided by an onsite private system.

**Land Use Designations**

Land uses within the proposed annexation area are currently subject to the Shasta County General Plan and Zoning Ordinance. The General Plan designation is Rural Community Centers and the zoning designations are Rural Residential and Mixed Use.

**ANALYSIS**

The analysis of the proposal 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 involving cities. 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, in the next 10 years.

*The annexation area as proposed by Shasta County contains three parcels totaling approximately 1.8 acres. The annexation area is considered uninhabited. The entire annexation area may accommodate an additional population of approximately five persons. The majority of the site is flat. Development plans for commercial use have been submitted for the westerly portion of the annexation area. The easterly property is designated Rural Residential and could accommodate residential 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, annexation, 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, Shasta County prepared a Plan for Services to evaluate the needs of the proposed annexation. The need for expanded community services within the affected territory includes water only. An analysis of the availability and adequacy of these services relative to projected needs of the proposal follows.*

**Water**

*According to the Plan for Services, water services will be extended to the annexation area.*

**Sewer**

*Onsite system.*

*Fire Protection*

*The proposed annexation area is located in the CSA #1, which provides fire protection and emergency response services to Shingletown and outlying areas. The proposed annexation area is currently within the CAL FIRE State Responsibility Area.*

*Law Enforcement*

*The proposed annexation area is currently served by the Shasta County Sheriff's Office. A significant increase in demand for law enforcement is not expected due to annexation.*

*Road Maintenance*

*No additional road capacity requirements are anticipated as a result of the annexation. Road segments appear to be in good repair and are adequate for proposed uses. Frontage improvements including access improvements as required by Shasta County. These improvements will be the responsibility of the property owner when development occurs.*

- 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 annexation as proposed by Shasta County would include 1.8 acres (three parcels). This area is within the CSA #13 sphere of influence and analyzed in the Municipal Services Review. The approved commercial use and related sales and property taxes are anticipated to have a positive economic effect for the community and County.*

- 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 annexation of vacant land adjacent to cities [§56377(b)], and the preservation of prime agricultural land by guiding development away from presently undeveloped prime agricultural lands [§56377(a)]. The proposed uses that would be accommodated in the annexation area comply with the 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.

*According to Shasta County, none of the territory is subject to a Williamson Act Contract. Natural features/resources identified within the affected area (based on aerial photography, on-line mapping sources, and information provided by Shasta County Staff).*

- 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 by a licensed surveyor will be required prior to filing a certificate of completion for the annexation. The proposed boundary follows existing parcel lines and lines of ownership. Also, the proposed annexation would not create islands or corridors of unincorporated territory.*

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

*The Shasta County Regional Transportation Plan (RTP) is the long-range transportation planning document for Shasta County. No specific projects are included in the RTP involving the affected territory.*

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

*Land uses within the proposed annexation area are currently designated as Mixed Use and Residential. The Shasta County General Plan identifies the Shingletown area as a 'Rural Community Center.' Within the proposed annexation area, the properties are suitable for water services.*

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

*The proposed annexation area is located within the CSA #13 Sphere of Influence (SOI), which was reaffirmed by the Commission April 6 2017.*

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

*Shasta County provided sufficient notice to interested and subject agencies of its intent to adopt a resolution of application, pursuant to GC § 56654(c). LAFCo staff also provided a Certificate of Filing to interested and subject agencies.*

- 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.

*According to the Plan for Services, there is sufficient capacity to provide water services to the annex area. No other municipal services are proposed.*

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

*According to the Plan for Services, Shasta County has not identified any capacity limitations and the need to increase system capacity as a result of additional residences connecting to the system 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 proposal would not impact any local agencies in accommodating their regional housing needs. The affected territory is currently developed with single family residential and agricultural uses. There are currently no residential development plans for the proposed annexation area.*

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

*All property owners within the proposed annexation area were notified regarding the annexation proposal. Shasta County provided LAFCo with written letters of consent from all owners of record.*

- 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 annexation will result in expanded public services for residents. Property owners within the area to be annexed will have the option to continue use of functioning onsite water and septic systems or connect to the CSA #13 system.*

## **Other Considerations**

### *Environmental Review*

Shasta County prepared a Mitigated Negative Declaration, which identified and assessed the environmental impacts of planned buildout in the Shingletown Planning Area. Shasta County, acting as lead agency determined that the annexation had been fully analyzed. On behalf of the Commission, in its role as responsible agency under CEQA, Shasta LAFCo staff independently reviewed the Mitigated Negative Declaration and concurs that, the project will not generate any new direct or indirect significant impacts that have not already been adequately addressed and, as needed, mitigated in the mitigation monitoring plan.

### *Master Property Tax Agreement*

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies, if applicable, before LAFCo can consider a proposed boundary change. CSA #13 receives no property taxes and a property tax exchange agreement is not applicable.

### *Conducting Authority Proceedings*

All proposed boundary changes approved by the Commission are subject to conducting authority proceedings (i.e., protest hearing) unless waived in accordance with criteria outlined under G.C. § 56663. This application did receive 100% consent from landowners within the proposed annexation area. Therefore, the proposal is not subject to conducting authority proceedings under G.C. § 56663 unless written opposition is received from landowners or registered voters within the affected territory prior to the conclusion of the Commission’s proceedings on the proposal.

## **B. RECOMMENDATION**

### **APPROVE SUBJECT TO CONDITIONS:**

It is recommended the following conditions 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.
- Submittal of a final map and geographic description of the affected territory prepared by a licensed surveyor and conforming to the requirements of the State Board of Equalization.
- Payment of any outstanding fees as identified in the Commission’s adopted fee schedule.

Exhibit A: Resolution of Application

Exhibit B: Property Owner Consent Forms

RESOLUTION NO. 2016-141

A RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SHASTA  
AUTHORIZING APPLICATION TO THE  
LOCAL AGENCY FORMATION COMMISSION OF SHASTA COUNTY  
TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF TERRITORY

WHEREAS, the County of Shasta desires to initiate proceedings pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq.) for the annexation of territory to County Service No. 13-Alpine Meadows; and

WHEREAS, the territory proposed to be annexed is described on a map attached and incorporated herein as **Exhibit A**, containing 1.80 acres; and

WHEREAS, the proposed annexation of territory to County Service Area No. 13-Alpine Meadows has the consent of all the property owners within the annexation as shown in **Exhibit B**; and

WHEREAS, the principal reason for the proposed annexation is to satisfy a condition for extension and provision of water service by County Service Area No. 13-Alpine Meadows as described in the will-serve letter attached as **Exhibit C**; and

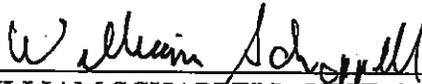
WHEREAS, improvement plans for all facilities to be operated and maintained by a county service area are being prepared; and

WHEREAS, this proposal is consistent with the adopted spheres of influence for all of the agencies that would be affected by the annexation.

NOW, THEREFORE, BE IT RESOLVED that, upon review and approval of the improvement plans by the Department of Public Works, the Local Agency Formation Commission of the County of Shasta shall hereby be requested to commence proceedings for the annexation of territory as described in **Exhibit A** into County Service Area No. 13-Alpine Meadows as authorized in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

DULY PASSED AND ADOPTED this 6th day of December, 2016 by the Board of Supervisors of the County of Shasta by the following vote:

AYES: Supervisors Baugh, Kehoe, Moty, and Schappell  
NOES: None  
ABSENT: Supervisor Giacomini  
ABSTAIN: None  
RECUSE: None

  
WILLIAM SCHAPPELL, VICE-CHAIRMAN  
Board of Supervisors  
County of Shasta  
State of California

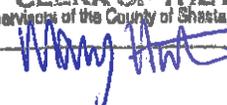
ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By:   
Deputy

THIS INSTRUMENT IS  
A CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE

ATTEST DEC 07 2016

CLERK OF THE BOARD  
Supervisors of the County of Shasta, State of California  
By: 

**PROPERTY-OWNER CONSENT FORM FOR PROPERTY INCLUSION**

Processing of jurisdictional boundary change proposals, which involve uninhabited territory, can be expedited if all affected landowners consent to the proposal. To take advantage of this option, please return the completed:

**Property-Owner Consent Form for Inclusion of Property below, to Shasta LAFCO.**

If consenting signatures of 100% of affected property owners are affixed and LAFCO does not receive any opposition from subject agencies, the Commission may consider the proposal without protest proceeding and/or an election.

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:

**Annexation to:** County Services Area # 13 Alpine Meadows

Date	Signature	Assessor's Parcel Number(s)
1.	SEE ATTACHED	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____

Shasta County Department of Public Works  
Attn: Eric Wedemeyer  
1855 Placer Street  
Redding, CA 96001

Subject: Annexation of My Parcels into Shasta County Service Area #13 - Alpine Meadows Water

Dear Mr. Wedemeyer;

This letter is to request that my parcel be proposed for annexation to the Shasta County Service Area #13, Alpine Meadows Water. I am the owner of the parcels described below:

Assessor's Parcel No 096-270-041

Street Address  Hwy 14

City, State Zip Shingletown, CA, 96088

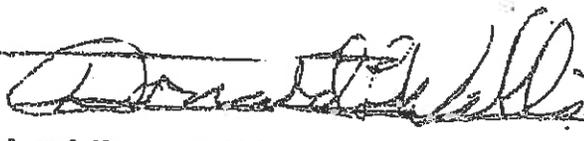
And I reside at the following address:

Street Address 31231 Lateridge Dr

City, State Zip Shingletown, CA 96088

I hereby consent to the proposal being submitted to the Shasta County LAFCO by the Shasta County Department of Public Works and request the initiation of these annexation proceedings. Should there be 100% participation of landowners within the proposed annexation, I also request that there be a waiver of a hearing by the Shasta County LAFCO and Conducting Authority. I am/am not a registered voter in Shasta County.

Sincerely,

*11/16/16* 

Donald and Margo Willis  
(Owners)

*11/16/16 Margo J. Willis*

**PETITION FOR ANNEXATION  
TO THE SHASTA COUNTY SERVICE AREA # 13 - ALPINE MEADOWS  
WATER**

To: The Board of Supervisors, County of Shasta, State of California

The undersigned petitioners respectfully petition the above entitled Board for annexation of the parcels described by the attached Exhibit "A", pursuant to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000 (Government Code sections 56000, et. seq.), and we hereby request that the Department of Public Works of the County of Shasta act on our behalf as lead agency in this matter with the Shasta County Local Agency Formation Commission.

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No.	Last Name	Signature	Assessor's Parcel Number
1	<u>HERRERA</u>	<u>[Signature]</u>	<u>086-270-010</u>
2	<u>HERRERA</u>	<u>[Signature]</u>	<u>086-270-009</u>

Parcel Address	Residence Address	Registered Voter (Y/N)
<u>31296 HWY 44</u>	<u>PO BOX 11</u>	<u></u>
<u>SHINGLETOWN, CA 95088</u>	<u>SHINGLETOWN, CA 95088</u>	

3	<u>WILLIS</u>	<u>[Signature: Margo Willis]</u>	<u>086-270-041</u>	<u>11-16-16</u>
		<u>[Signature: Dan Willis]</u>		<u>11-16-16</u>

Parcel Address	Residence Address	Registered Voter (Y/N)
<u>HWY 44</u>	<u>31231 LAKBRIDGE DR</u>	<u></u>
<u>SHINGLETOWN, CA 9</u>	<u>SHINGLETOWN, CA 95088</u>	

Shasta County Department of Public Works  
Attn: Eric Wedemeyer  
1855 Placer Street  
Redding, CA 96001

Subject: Annexation of My Parcels into Shasta County Service Area #13 - Alpine Meadows Water

Dear Mr. Wedemeyer;

This letter is to request that my parcels be proposed for annexation to the Shasta County Service Area #13, Alpine Meadows Water. I am the owner of the parcels described below:

Assessor's Parcel Nos 096-270-010, 096-270-019

Street Address 31296 Hwy 44

City, State Zip Shingletown, CA, 96088

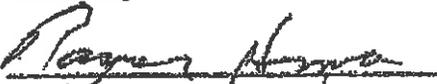
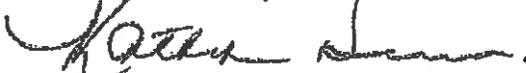
And I reside at the following address:

Street Address PO Box 11

City, State Zip Shingletown, CA, 96088

I hereby consent to the proposal being submitted to the Shasta County LAFCO by the Shasta County Department of Public Works and request the initiation of these annexation proceedings. Should there be 100% participation of landowners within the proposed annexation, I also request that there be a waiver of a hearing by the Shasta County LAFCO and Conducting Authority. I ~~am~~ am not a registered voter in Shasta County.

Sincerely,

Ramon and Kathy Herrera  
(Owners)



## LAFCO RESOLUTION 2017-07

### RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION APPROVING THE WILLIS HERRERA ANNEXATION TO COUNTY SERVICE AREA #13, WITH CONDITIONS

**WHEREAS**, the Shasta Local Agency Formation Commission, hereinafter referred to as the "Commission," is responsible for regulating boundary changes affecting cities and special districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the County of Shasta Special Districts filed an application with the Commission by resolution of application; and

**WHEREAS**, the subject territory is uninhabited as defined in Government Code Section 56046; and

**WHEREAS**, the proposal is consistent with the adopted CSA #13 Sphere of Influence, adopted by the Commission in April 2017; and

**WHEREAS**, the Executive Officer's report and recommendations on the proposal were presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a meeting held on April 6 2017; and

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

**WHEREAS**, the Commission made determinations without notice and hearing in accordance with California Government Code Section 56662.

**WHEREAS**, the proposal is not subject to a property tax exchange agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Shasta Local Agency Formation Commission as follows:

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report.
2. The Commission, as Responsible Agency, has considered the findings made by Shasta County, as Lead Agency, that the proposed annexation will not generate any new significant effects that have not already been adequately addressed as part of the Mitigated Negative Declaration (State Clearinghouse Number 2016032034), filed with the County Clerk. The Commission has considered the Mitigated Negative Declaration and finds that it adequately discusses the environmental impacts of development of the territory. The Commission concurs with the determination and finds the annexation will not introduce any new consideration with respect to this MND, and probable future projects are adequately addressed.
3. The Commission approves the proposal with conditions identified in the staff report, as provided in Exhibit "A". The proposal, as modified, includes the annexation of approximately 1.8 acres of land (consisting of three Assessor's parcels) to CSA #13. The boundary change promotes

planned, orderly, and efficient development patterns that effectively guides development away from existing prime agricultural lands in open-space use in accordance with Government Code Section 56001.

4. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
5. Recordation is contingent upon the satisfaction of following terms and conditions as determined by the Executive Officer:
  - a) Completion of the 30-day reconsideration period provided under G.C. Section 56895.
  - b) Submittal of a final map and geographic description of the affected territory prepared by a licensed surveyor and conforming to the State Board of Equalization requirements.
  - c) Payment of any outstanding fees as identified in the Commission’s adopted fee schedule.
6. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, and fees lawfully enacted by Shasta County for CSA #13. The affected territory will also be subject to all water rates, rules, regulations, and ordinances of Shasta County for CSA #13.

Adopted on April 6, 2017, by the following vote:

AYES:  
NOES:  
ABSTAINS:  
ABSENT:

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Irwin Fust, Chairman*  
Shasta Local Agency Formation Commission

Attest:

Dated: \_\_\_\_\_

\_\_\_\_\_  
*George Williamson, Executive Officer*