

SHASTA LAFCO
CHANGE OF ORGANIZATION/REORGANIZATION APPLICATION

This application must be completed in full and submitted with any petition or resolution of application to LAFCO for a change of organization or reorganization made pursuant to Government Code Section 56000 et seq.

1. **Nature of Proposal:** Check one of the following. Insert city or district name. If the proposal involves more than one concurrent change (i.e., annexation to one agency, detachment from another), check the appropriate "reorganization" box.

- Annexation only** to a city or special district
Affected city or district: _____
- Detachment only** from a city or special district
Affected city or district: **Bella Vista Water District**
- Reorganization by concurrent** annexation to city, detachment from district(s)
Affected city and district(s): _____
- Reorganization by concurrent**
Affected districts: _____
- Formation** of special district
Type of district (i.e. CSD, CSA, FPD): _____
- Dissolution** of special district
Name of district: _____

2. **Sphere of Influence:** If the proposal is for annexation to a city or district, is the area to be annexed within the sphere of influence of the affected city or district? Yes No. If no, there must be a concurrent sphere of influence amendment action. N/A

3. **Tax Exchange Agreement:** Is the proposal subject to a tax exchange agreement? Yes No. If yes, see Shasta LAFCO's "Application Standards & Document Requirements for compliance information.

4. **Public Agencies in Proposal Area:** List all public agencies - including school districts - whose current jurisdictional boundary or sphere of influence boundary falls within the proposal area. Also note the effect on the proposal on each agency.

<u>Public Agency</u>	<u>Effect of Proposal (i.e. annex, detach, no change)</u>
<u>LIST</u>	
City of Redding	No Change
County of Shasta	No Change
County Committee On School District Organization	No Change
Shasta Union High School District	No Change
Enterprise Elementary School District	No Change
U.S. Bureau of Reclamation	Exclusion of parcel from BVWD water service contract, and Inclusion of parcel into City of Redding water service contract.

5. **Affected Territory is Legally** (Check One):

- Inhabited** (more than 12 registered voters) **Developed**
 Uninhabited (fewer than 12 registered voters) **Undeveloped**

6. **Characteristics of Affected Area:** Insert totals and *check data source*.

	Total #	Assessor / Auditor	Elections Dept.	Field Survey	Other Source: (Name)
Acres	7.00	X			
Parcels	1				
Inhabitants	0				
Registered Voters	0				
Dwelling Units	0				
Commercial Units	0				
Industrial Units	0				
Assessed Value: Land	363,269				
Assessed Value: Improvements	0				
Total Assessed Value	363,269				

7. **General Location of Proposal Area:** Summary statement of general location in relation to nearest major roads and intersections, nearest city or district boundary, and/or other locational landmarks.

Vacant land in the City of Redding -- bounded on the west by Canby Road, on the south by Browning Street, and on the east by Churn Creek Road. Parcel is in the "overlap" area where many years ago the City of Redding jurisdiction was extended by annexation over the service jurisdiction boundary of Bella Vista Water District, such that water service continued to be provided by BVWD but the property may receive all other regular City services. Detachment from BVWD would, by default, make water service the responsibility of the City. Surrounding development of the area is: Home Depot and gas station to the south, residential and City water storage tanks to the east, Little Country Church to the north, and vacant residential parcel to the west.

8. **Present Land Use Characteristics:** Summary statement of current land use and development characteristics, as well as prevalent topographic/geographic characteristics that influence land use and development.

The parcel is bare land, with a little over 2 acres on the western side (next to Canby Road) in a vegetated drainage course that will be preserved as undeveloped open space, while the remainder of close to 5 acres is flat or gently sloping previously disturbed (graded) land. The past and present use of the property has been undeveloped residential/open space.

9. **Proposed Development:** Summary statement of proposed development in the area, if any, and a statement of when development is expected to begin and/or be completed:

On 10/20/20 the City of Redding approved Tentative Subdivision Map S-2019-01370 for "Browning Crossing Subdivision" and zoning for a "Planned Development" to allow

construction of 25 duplex units, intended for moderate income and senior residents, subject to various conditions. Construction is anticipated to begin in June or July, 2021, with completion expected by the end of 2021.

10. **General Plan and Zoning Designations:** List the current City of Redding ~~Shasta County General Plan~~ land-use and zoning designations applied to the area, and the total acres under each designation. *Do not use abbreviations.* Attach maps showing the General Plan designations.

<u>General Plan Designation</u>	<u>No./Acres</u>	<u>Zoning Designation</u>	<u>No./Acres</u>
<u>Residential 10-20 units/acre</u>	<u>7.0</u>	<u>RM-12-PD</u>	<u>7.0</u>

11. **Pre-Zoning:** For proposals to *annex territory to a city*, §56375 requires that the annexation area be “pre-zoned”. Please list zoning designations that will be applied by the city after annexation. *Do not use abbreviations.* Attach a map depicting the zoning designations and a copy of the ordinance adopting the designations.

<u>Zoning Designation</u>	<u>No. of Acres</u>
<u>See Map attached as “A,” City Staff Report - “B”, and PD Map - “C”</u>	<u>7.0</u>

12. **Chief Reasons for Proposal:** An agency resolution of application to LAFCO must include a summary recital of the chief reasons for the proposal (such as the desire by landowners and/or developers to acquire agency services). In the space below, discuss the chief reasons for the proposal. Identify alternatives and explain why the alternatives are not as feasible as the proposal.

The Detachment will promote the orderly and efficient provision of water services to the subject parcel of land (Shasta Co. AP # 117-290-022), that is already in the jurisdictional City limits of the City of Redding, by allowing the property owner to connect to existing City water mains already on the parcel, in lieu of constructing a new 1,800” off-site 8” water line extension to reach the BVWD main distribution system. Attachment “D” shows the location of the parcel in the City; “E” shows the location of City water mains running from the City storage tanks through the southerly boundary of the parcel, where the property owner could connect to City water service without building any off-site water mains; “F” is a drawing of the avoided alternative – construction of 1,800 feet of off-site water main to connect to the BVWD water distribution system in the intersection of Canby and Churn Creek Road to the north. The Detachment will permit simple direct connection to the City water mains and the future provision of water service from the City along with all other City services. This avoids costly (about \$200,000) and unnecessary construction of a lengthy water main, with associated trenching, cuts in Churn Creek and Canby roads, and associated traffic disruption and potential delays in the project.

13. **Terms and Conditions:** *For an application by a public agency*, the resolution of application may request terms and conditions on LAFCO’s approval. In the section below, list and

provide an expanded discussion of the terms and conditions requested in the resolution. If there are no terms and conditions, insert "None Requested".

A. The Property Owner is required to pay [and has paid] the Detachment Fees found to be owed under the District's Detachment Policy, in the amount of \$43,296.57.

B. The Property Owner is required to execute a Reimbursement Agreement in favor of the District [done], and to pay any other fees, costs and expenses related to the Detachment.

C. The Property Owner shall, the maximum extent allowable, bear the burden of administrative efforts to coordinate and supply related agency approvals [LAFCO, Bureau of Reclamation, City of Redding], rather than consume District staff/resources in that pursuit.

14. **Boundary Modifications:** LAFCO is authorized to modify the boundary of a proposal to include or exclude territory. In the section below, explain how the proposed boundary was determined, the alternatives considered, and what the impacts would be if LAFCO were to modify the boundary. Attach any maps that would support the proposed boundary or would visually depict the impacts of any boundary modification. *(This section is critical to LAFCO's analysis; please provide complete response.)*

Proposed boundaries shown on attached figure: see Attachment "G" - legal description and engineer's drawing of parcel to be Detached from the Bella Vista Water District. See Attachment "H" showing the overlap area of the BVWD jurisdiction and the City of Redding boundary, with subject parcel noted in the extreme south-west corner of the BVWD jurisdiction. Attachment "I" is another map also showing the BVWD boundary and the location of the parcel to be taken out by the Detachment at the extreme southwest boundary of BVWD. And. Refer to Attachment "E" from the City GIS system showing the City water mains on the subject parcel as a close-up of that area - and which also shows the BVWD boundary as a red cross-hatched overlay. Note that the subject parcel is on the BVWD boundary, so that the Detachment will not create an "island" or peninsula or other disfavored configuration of the relative boundaries of the BVWD service boundary and the City jurisdiction. ••• Detachment of the parcel was and is considered to be the simple and logical adjustment to the BVWD boundary, with no other practical alternative.

15. **Plan for Providing Services (§56653):** Whenever a local agency or school district submits a resolution of application for a change of organization or reorganization, the local agency *shall* submit a plan for providing services within the affected territory. The applicant agency must also *complete the following table and attach a comprehensive narrative that includes the following information:*

- An enumeration and description of the services to be extended to the affected territory.
- The level and range of those services.
- An indication of when those services can feasibly be extended to the affected territory.

- An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- Information with respect to how those services will be financed.

A Plan For Providing Services is submitted with this Application, and is incorporated by reference herein.

(A) Service	(B) Current Provider (e.g. County, Special District, Private, None)	(C) Method to Finance Current Service (See Key)	(D) To be Provided by this Proposal? (Yes or No)	(E) If Yes to (D), Method to Finance? (See Key)	(F) If Yes to (D), Estimated Date Service Available
Law Enforcement	City-Redding				
Fire Protection	City-Redding				
Streets/Traffic	City-Redding				
Water	BVWD***				
Sewer	City-Redding				
Power	City-Redding				
Solid Waste	City-Redding				
Storm Drains	City-Redding				

***BVWD before the Detachment. City of Redding supplies water after the Detachment.

Key: O=Owner; SC=Service Charges; AD=Assessment District; DA=Developer Agreement

16. **Water Service:** Pursuant to §56668(k), LAFCO must now consider, "Timely availability of water supplies adequate for projected needs . . ." Availability of water supply includes the fluid water itself (entitlements) and infrastructure (treatment capacity, storage capacity, regional transmission, and local distribution systems). Adequacy of water also means the ability of the agency to provide water to both existing and proposed development. In the space below, discuss water availability and adequacy in the context of the proposal set forth in this application.

The Detachment makes water supply easier by simple connection directly to a City water main rather than a lengthy and expensive off-site water main installation. The City has a 12" main and a 16" main available for direct connection. Both BVWD and the City are capable and well-managed water suppliers. The Detachment will only change the source of the water supply in a manner that is much more efficient and logical, but neither entity is superior or inferior to the other as an advantage or disadvantage for water supplied to the project.

17. **Sphere of Influence Amendment as a Separate or Concurrent Action:**

-- NOT APPLICABLE

- A. **Compliance with §56425(b):** For an application by a city for amendment of a city sphere of influence, city and county representatives are required to meet on matters pertaining to the proposed sphere change. (See §56425(b) for specifics.) *This meeting is to be held at least 30 days prior to submitting an application to LAFCO.* To verify compliance with the statute, complete the following:

Date(s) of City/County Meeting(s): _____

3.								
4.								

* DU = Dwelling Units; S= Support; O=Opposed; NR=No Response

19. **100% Consent Applications; Request Waiver of Public Hearing:** Pursuant to §56663, proceedings before LAFCO may be conducted without a public hearing, and Conducting Authority proceedings may be waived, provided (a) *the applying agency's resolution of application requests a waiver*, and (b) provided the resolution is accompanied by *proof that all of the owners of land within the affected territory have given their written consent* to the proposed change of organization or reorganization. The following is also to be completed and signed if the agency's resolution requests this waiver:

It is hereby certified that the signatures shown on the attached petitions and/or letters represent 100% of the owners of the territory included in the proposal presented in this application. It is further certified that these landowners consent to the proposal presented in this application.

Signature: _____

Print Name/Title: _____

Agency: _____

20. **Executive Officer's Report/Notice of Hearing:** Print or type the name and addresses of three officers or persons *in addition to the chief petitioners and/or clerk of each affected agency* who are to receive copies of the Executive Officer's Report and the notice of the public hearing:

1. _____

2. _____

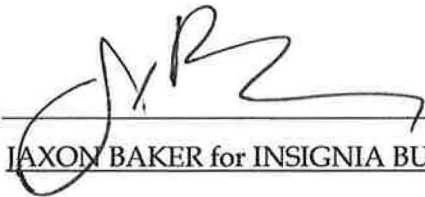
3. _____

21. **Certification, Indemnification, Signature: (Part 1)**

1. In signing this document, it is hereby certified, that the statements made in this application and the attachments to this application are to the best of my knowledge complete and accurate.

2. The undersigned, as property owner, agrees to indemnify, save harmless, and reimburse LAFCO for all reasonable expenses and attorney fees in connection with the defense of LAFCO and for any damages, penalties, fines or other costs imposed upon or incurred by LAFCO should LAFCO be named as a party in any litigation or administrative proceeding in connection with the application, whether the application is maintained or withdrawn. Applicant further agrees that LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the matter it deems in its best interest, and that LAFCO's taking such actions shall

not limit Applicant's obligations to indemnify and reimburse defense costs or relieve Applicant of such obligations.

Signature:  Phone: (530) 241-2112
JAXON BAKER for INSIGNIA BUILDERS, INC.

Print Name/Title: PROPERTY OWNER e-mail: wjbaker@wjbinc.net

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Submitted by APPLICANT:

Agency: Bella Vista Water District Date: May 11, 2011



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