

Garberville Sanitary District

Sphere of Influence Review and Update

Final Report
Adopted March 20, 2013



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Prepared by
Humboldt LAFCo



HUMBOLDT
Local Agency Formation Commission

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With input from
Garberville Sanitary District



GARBERVILLE SANITARY DISTRICT

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INTRODUCTION

This report represents the Commission’s sphere of influence update for the Garberville Sanitary District. The report has been prepared to review the District’s existing sphere relative to current legislative directives, local policies, and member preferences to form the basis for either continuing the current sphere or considering possible changes to the sphere. This report supersedes the last sphere adopted in 1986. The report draws on information collected and analyzed in the Commission’s recently completed municipal service review (2013), which includes the evaluation of availability, adequacy, and capacity of services provided by the Garberville Sanitary District.

Statutory Authority

LAFCo establishes, amends, and updates spheres for all cities and special districts to designate the territory it believes represents the appropriate and probable future service area and jurisdictional boundary of the affected agency. Importantly, all jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies with limited exceptions.

The authority for LAFCo to adopt, review, and amend spheres of influence is contained in various sections of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, Government Code Section 54625(a) states that:

“In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency with the county and enact policies designed to promote the logical and orderly development of areas within the sphere.”

Government Code section 56425(g) specifies that, beginning in 2008, LAFCo shall, as necessary, review and update each sphere of influence every five years. In making sphere determinations, LAFCo is required to prepare written statements addressing five specific planning factors listed under Government Code Section 56425(e). The mandatory factors range from evaluating current and future land uses to the existence of pertinent communities of interest.

The intent in preparing the written statements is to focus LAFCo in addressing the core principles underlying the sensible development of each local agency consistent with the anticipated needs of the affected community. The five planning factors are summarized in the following table.

Sphere of Influence Determinations

1. Present and planned land uses in the area, including agricultural and open space
2. Present and probable need for public facilities and services in the area
3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide
4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency
5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere

Sphere Review History

LAFCo established the first and only sphere of influence for the Garberville Sanitary District by Resolution No. 86-8 on July 23, 1986. The sphere was located to accommodate the County's plans for urban development in the then-proposed community plan for Garberville. The 1986 sphere extended from Bluff Creek in the north to the Benbow Lake State Recreation Area in the south, and included the Garberville County Airport and the Tooby Memorial County Park. The sphere was limited in size by:

- Relatively steep terrain to the north, south and east of the District;
- Flood hazard areas associated with the South Fork Eel River to the west of the District;
- Existing Timber Production Zone and Agriculture Preserve designated lands to the south of the District; and
- Planned resource productive areas to the north, south and east, are west of the South Fork Eel River.

Following the 1986 sphere adoption, a Master Service Element was prepared in May 2002 for updating the District's sphere, but was never adopted by LAFCo. At this time, Master Service Elements were being prepared for agencies in Humboldt County for the purpose of updating agency spheres and supporting the County's efforts to update the General Plan. Since the 2002 Master Service Element, draft municipal service reviews and sphere updates have been considered by the Commission, but never adopted.

Relation to Service Review

Government Code 56430 requires LAFCo to periodically perform municipal service reviews, also known as service reviews, in order to prepare for sphere of influence review and adoption. The purpose of service reviews is to get a "big picture" of the public service needs and to identify opportunities for improved service efficiencies. A draft service review was prepared in conjunction with this sphere update. In summary, the service review found that the Garberville Sanitary District is efficiently providing water and sewer services within its existing boundaries; however, annexation of areas outside the boundaries that are currently served by the District's water system is needed.

SPHERE REVIEW PROCESS

For this sphere update, LAFCo staff reviewed the District's existing sphere boundary in light of proposed sphere recommendations made by the Garberville Sanitary District Board in 2011. The District Board created a Sphere of Influence Ad Hoc Committee to facilitate public involvement in the sphere review process. The Committee reviewed sphere boundary options at several public meetings held between October 2010 and November 2011, and approved a preferred sphere recommendation to the District Board. On November 28, 2011, the District Board unanimously agreed to recommend a revised sphere to LAFCo, as shown in Figure 1.

In analyzing the sphere, the District considered water and wastewater system capacity, system deficiencies, planned capital improvement projects, existing and proposed land uses, and existing water service connections located outside the District's boundary. In addition, the District's decision-making process was guided by the considerations listed in the following table.

District Considerations for Sphere of Influence Review

1. Current discrepancies between the District jurisdictional boundary, the LAFCo sphere of influence, and the State Water Resources Control Board Place of Use, with the goal to build consistency between these various boundaries and their planning periods.
2. If a parcel has an existing connection to the District's water or sewer system, it should be added to, or remain within, the sphere.
3. That the jurisdictional boundary and sphere should contain an entire parcel unless there are specific reasons to the contrary.
4. That the sphere should include the area that is likely to see development over the next 20 years for which water or sewer services would be requested.
5. That those property owners who have voiced concern over the continued availability of their private water source be included in the sphere so that an outside service area approval by LAFCo would not necessitate amending the sphere to serve the affected property.
6. That if at all possible, to not have "exceptions" remain after all processes have been completed.

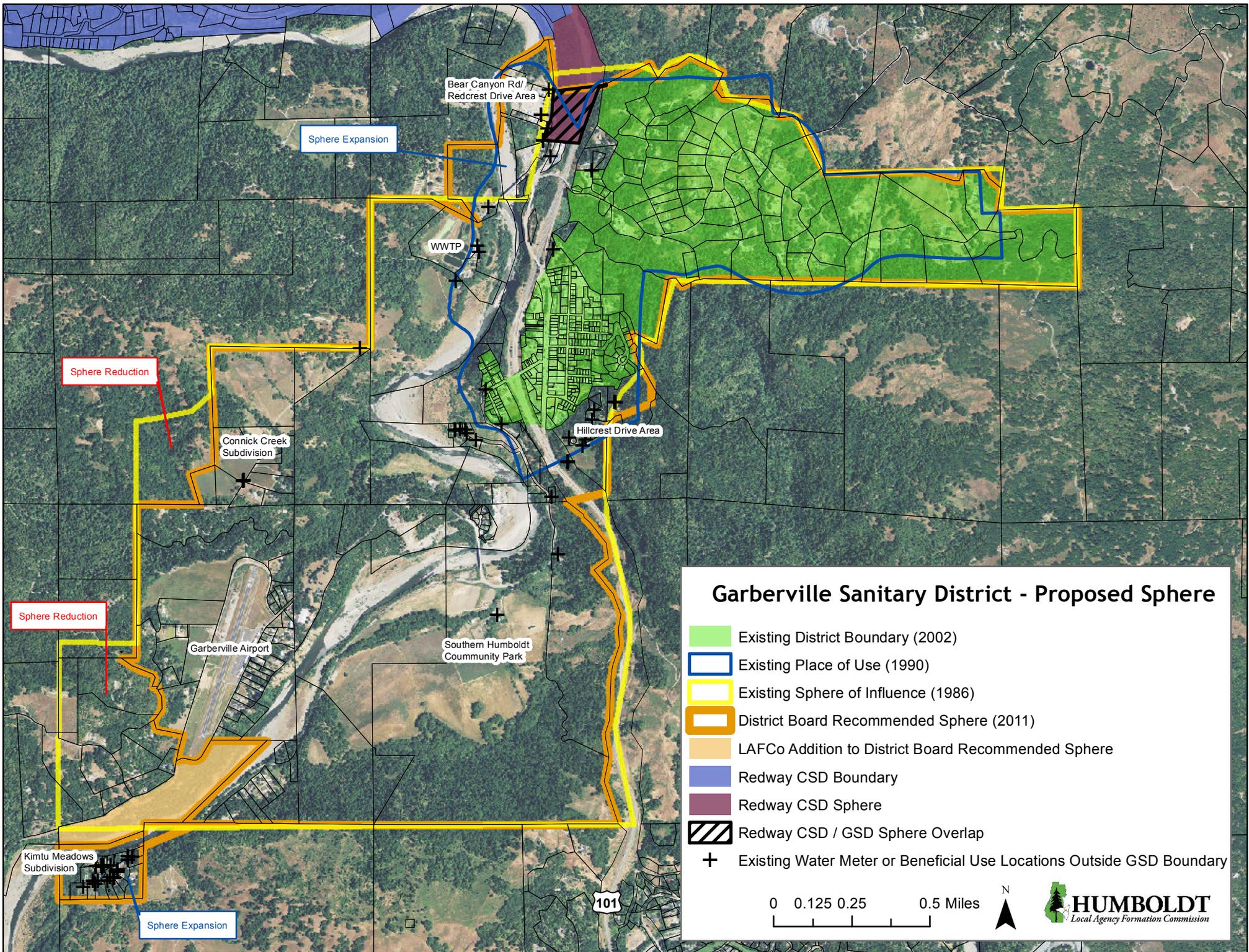
CONCLUSIONS AND RECOMMENDATIONS

The LAFCo staff has evaluated the proposed sphere of influence recommended by the Garberville Sanitary District. The proposed sphere generally maintains the size of the existing 1986 LAFCo-approved sphere boundary, with certain areas proposed for expansion and reduction. The District currently provides water services to approximately 61 housing units outside the District boundaries. The District is proposing a sphere expansion in several areas that are served by water and are located outside the existing sphere, including the Kimtu Meadows Subdivision and the Bear Canyon Road/Redwood Drive area. The District is also proposing a sphere reduction in several areas that are not served by water, where development is restricted, and where no plans for future development are currently being considered.

The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere.

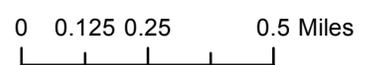
In the northern planning boundary, there is an existing sphere overlap for both the Redway Community Services District (CSD) and the Garberville Sanitary District. The entirety of this area consists of Highway 101 right-of-way but is proposed to remain in the Garberville Sanitary District's sphere because the District provides water service on both sides of this area. Staff recommends that during the next Redway CSD sphere update, the Redway CSD sphere boundary be reduced.

There is one parcel that is proposed by the District to be removed from the existing sphere that LAFCo staff recommends to be maintained (See Figure 1). This parcel is designated in the Humboldt County Framework Plan as Agricultural Suburban (AL 1-5), which are areas adjacent to urban areas or rural community centers that may eventually require urban services. This parcel is also located adjacent to the Kimtu Meadows Subdivision and would maintain a contiguous sphere boundary.



Garberville Sanitary District - Proposed Sphere

- Existing District Boundary (2002)
- Existing Place of Use (1990)
- Existing Sphere of Influence (1986)
- District Board Recommended Sphere (2011)
- LAFCo Addition to District Board Recommended Sphere
- Redway CSD Boundary
- Redway CSD Sphere
- Redway CSD / GSD Sphere Overlap
- Existing Water Meter or Beneficial Use Locations Outside GSD Boundary



SPHERE OF INFLUENCE DETERMINATIONS

56425(e) In determining the sphere of influence of each local agency, the Commission shall consider and prepare a written statement of its determinations with respect to each of the following:

(1) The present and planned land uses in the area, including agricultural and open-space lands.

Land uses within the proposed Garberville Sanitary District sphere boundary are a mix of low density residential, public facility, and resource-related uses. The agricultural land use designations within the sphere are also found within the District boundary, which are currently receiving water and sewer services. These agricultural designations include: Agricultural Lands with a 20-40 acre minimum (AL-20,-40), Agricultural Rural with a 5-20 acre minimum (AR 5-20), and Agricultural Suburban with a 1-5 acre minimum parcel size (AS 1-5). Single-family residential development is an allowable use within these agricultural designations.

Currently, there is an active General Plan Amendment application with the Humboldt County Community Development Services Department to change the zoning and land use designations for the Southern Humboldt Community Park (SHCP) property to support the operation of a multi-use community park with recreational, civic, and agricultural uses. The SHCP property is zoned Agricultural Exclusive and agricultural soils and prime agricultural soils throughout the property. The County is currently preparing a full Environmental Impact Report for the park project.

Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the District, as well as the community at-large. Removing these areas would also cause a disconnect with respect to the Garberville Sanitary District's existing and planned water services to areas within the proposed sphere.

In accordance with Government Code Section 56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In addition, in accordance with Government Code Section 56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(2) The present and probable need for public facilities and services in the area.

The Garberville Sanitary District serves an important role by providing water and wastewater services to the town of Garberville and surrounding area. Approximately 61 housing units located outside the District boundary are currently receiving water services. The proposed sphere

includes all areas currently served by the District to meet the present and continued need for safe and reliable potable water to area residents.

With regard to system capacity, the Garberville Sanitary District has been actively planning and constructing water and wastewater facility improvements to address system deficiencies and to provide sufficient capacity to meet current and future service demands. The District is in the final design stages of a water treatment plant upgrade to increase water treatment capacity and meet current state requirements for redundancy. In addition, the District's wastewater system was upgraded in 2011 and is operating well within its waste discharge requirements.

In addition, there are active projects in progress within portions of the proposed sphere. The Garberville Sanitary District is completing the environmental analysis for an annexation proposal, which would modify the existing District boundary to include areas currently served by the water system. An application will be submitted to the Humboldt LAFCo for the proposed annexation once the District Board has completed their review. Also, the Southern Humboldt Community Park, in conjunction with the Humboldt County Planning and Building Department, is completing an Environmental Impact Report for the proposed park project. The County will be lead agency for the project.

Considering the existing and planned uses in the area, there exists a present and probable need for public facilities and services in the proposed sphere.

(3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

A detailed review of the adequacy and capacity of the Garberville Sanitary District's water and sewer services was performed in the Commission's recently completed municipal service review. The municipal service review indicates the District has adequate water supply, treatment, and storage capacities to accommodate existing and probable demands within its current service area into the foreseeable future. Based on the analysis in the municipal service review, providing new water service to areas within the proposed sphere could be accommodated given these existing capacities and assuming reasonable usage requirements. However, it is unlikely that significant portions of the proposed sphere could be served by the District's wastewater system, due to geographical and financial constraints.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The proposed sphere has established substantive social and economic ties with Garberville Sanitary District given that the majority of the area has been part of the existing sphere since 1986, and considering water services are currently being provided in areas throughout the sphere. The proposed sphere boundary is generally consistent with the 1986 adopted sphere and reflects a standing governance assumption originally established by the Commission that the affected lands, as they develop, are to be served by the Garberville Sanitary District. These social and

economic ties were further enhanced with the District recently extending services to the Kimtu Meadows Subdivision, which was locate adjacent to the existing sphere.

(5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Garberville is designated by the U.S. Census Bureau as a Census Designated Place (CDP), which qualifies as a disadvantaged unincorporated community. This area includes the majority of the existing District boundaries, as well as areas within the existing sphere including the Tooby Memorial Park area, the Garberville Airport area, and portions of the Connick Creek Subdivision. The municipal service review prepared for the Garberville Sanitary District also identified the Kimtu Meadows Subdivision, located outside the Garberville CDP area and existing sphere, as a disadvantaged unincorporated community.

Existing water service connections are scattered throughout the disadvantaged community-designated area. In addition, the Garberville Airport area, which relies on onsite water systems, is an existing developed area that may require District water services in the future. Therefore, there is a present and probable need for public water facilities and services within the areas designated as disadvantaged unincorporated communities.