

DEL NORTE
LOCAL AGENCY FORMATION COMMISSION
1125 16th Street, Suite 202
Arcata, California 95521

BOUNDARY CHANGE APPLICATION FORM

This application form is for boundary change proposals (such as annexation, detachment, or formation) submitted to the Commission. If a question is not applicable to your proposal, please note accordingly. The Executive Officer will review the application for completeness and will request additional information necessary to process the application and initiate Commission proceedings. Please contact LAFCo staff for assistance.

1. APPLICANT INFORMATION

Names and contact information of the primary persons or agents to whom information requests, staff reports and notices shall be furnished:

Name: [Geoffrey Antill](#)
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Phone: [909.273.9525](#)
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Name: [Elaine Fallgren](#)
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Name: [Ron Simpson](#)
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2. PROPOSAL DESCRIPTION

A. Title of proposal (Annexation of Territory to Special District):

[ANNEXATION OF PORTIONS OF OCEANVIEW SOI TO SMITH RIVER FIRE PROTECTION DISTRICT](#)

B. Type of proposal:

1. Annex to an existing city / special district
2. Detach from an existing city / special district
3. Other:

C. The proposal was initiated by:

1. A resolution of application adopted by an affected city or special district
2. A petition of landowners or registered voters

D. This proposal includes:

1. 12 or more registered voters: Yes / No

2. 100 percent consent of property owners: Yes / No

E. Please describe the reasons(s) for the proposed action. Please be specific regarding the need for services, development plans, discretionary approvals, etc.

Of the three Spheres of Influence (SOI) adjacent to the Smith River Fire Protection District (SRFPD), one of them (Oceanview SOI) has experienced significant sub-division and home-building over the past 20 years. Not only does this represent an increase in the need for structure fire response and emergency medical response, but the new developments represent a significant increase in the Wildland/Urban Interface (WUI) areas that rely on SRFPD for initial attack in the event of vegetation fire.

Historically, as build-out has proceeded, SRFPD has responded to calls for emergency assistance in the SOI without hesitation even though these properties are outside the district boundaries. Both existing and planned subdivision and development have reached a point where a property tax sharing agreement should be in place with Del Norte County (including collection of \$27/year/habitable structure benefit assessment) in order to continue funding fire district operations. For that reason, SRFPD seeks to annex certain residential or undeveloped parcels within the Oceanview SOI.

F. This proposal is / is not within the adopted Sphere of Influence of the affected city/district. If not, a Sphere of Influence Amendment is necessary. Please describe the proposed changes with respect to the sphere criteria in Government Code Section 56425 (e)(1-4).

3. GENERAL INFORMATION

A. Describe the general location and physical features of the subject territory:

The parcels subject to annexation are within the Oceanview SOI and are primarily residential or undeveloped lots on the hillside that generally faces west and is east of Oceanview Drive in Smith River. All of these parcels can be defined as "Wildland-Urban Interface" (WUI), as they are bounded on the east by forested lands.

B. Number of acres (or square miles):

Approximately **972 acres**, using the acreage listed in the 2022-23 Del Norte County tax roll.

C. Number of parcels:

84

D. Population within subject territory:

Estimated at 29 full-time residents. This is based on the fact that there are 11 parcels with a homeowner's exemption filed with the County Assessor (2022-23 tax role), and that there are an average of 2.58 persons per household according to the 2020 U.S. Census for Del Norte County.

E. Registered voters within subject territory:

29. Assumed to be 100% of the estimated population.

4. PUBLIC SERVICES INFORMATION

A. List which agencies presently provide public services to the subject territory, and which are proposed to provide service. If not applicable or no change, please indicate accordingly.

	Present Provider	Proposed Provider
Sewer	Individual septic systems	No change
Water	Smith River Community Services District (Two parcels included in annexation are owned by SRCSD, but are tax exempt water facilities and are not impacted by annexation.)	No change
Fire	Smith River Fire Protection District, SOI	Annex to include in district boundaries
Police	Del Norte County Sheriff's Office	No change
Recreation	Del Norte County Parks and Recreation	No change
Roads	Del Norte County Roads Department	No change
Drainage	None	No change
Street Lighting & Landscaping	None	No change
Other	None	No change

- B. How would proposal approval affect the type or level of services within the subject territory?

SRFPD is "first due" within its SOI areas and has historically responded to calls for emergency assistance from these areas accordingly. SRFPD receives a small percentage of the property taxes collected from parcels from within the district boundaries, but not from parcels within the SOI. Annexation of certain SOI parcels to the district will allow SRFPD to continue providing structure and wildland fire protection, emergency medical assistance, and rescue services within these areas.

Failure to annex these properties would necessitate the fire district to bill each property owner individually to provide fire protection. Such a result will not only place an extraordinary administrative burden on the fire district but will increase the cost to property owners and lead to a patchwork of emergency response (owners not under contract would receive fire protection from CalFire Crescent City, approximately 20 miles distant.) This is not a desirable outcome.

- C. Will services future delivery by any other public agency or service provider be affected by this proposal? If yes, list the agencies and indicate any comments received from these agencies. (Note: applicants to contact affected agencies prior to application filing.

No.

- D. When will your agency be able to provide the proposed services?

Upon approval of annexation by Del Norte LAFCo and the Del Norte County Board of Supervisors.

5. LAND USE INFORMATION

- A. Describe existing land use within and surrounding the subject territory.

Within the subject territory, land use is Rural Residential two- and five-acre lots (RR-2, RR-5), with some parcels listed as Rural Residential Agricultural (RRA), Undeveloped Residential (UR), and Undeveloped Land (UL). (There are 2 parcels with a land use code of Timber Production (TP) which are actually residential lots; 1 parcel used for a mobile home, 1 parcel with a non-residential structure (MS), 1 parcel improved without a structure (MI), and two tax exempt parcels owned by Smith River Community Services District which serves the planned communities.)

Surrounding parcels are almost exclusively Timber Production (TP). Most surrounding lots exceed 40 acres in size, with some over 200 acres.

- B. What are current General Plan and zoning designations within the subject territory?

Parcels are zoned RR2, RR5, RRA-2, RRA-5, PC.

- C. Describe any plans for future development within the subject territory (e.g., have any General Plan amendments, zone reclassifications, subdivision maps, conditional use permits or other entitlements been applied for or approved within the subject territory?)

Over the past 20 years or more, these parcels have been re-zoned from Timber Production (TP) to one or more residential land use categories (RR2, RR5, UR, or UL). Approximately 36% of lots contain structures already, and all will eventually be built-out.

- D. If this proposal is a city annexation, has the city pre-zoned the subject territory? If so, how is the territory pre-zoned?

This is not a city annexation.

6. FINANCIAL INFORMATION

- A. How will the service(s) be financed? Does the city or special district have plans to establish any new assessments, special taxes, service charges, fees or other means to pay for new or extended services to this area? (Note: A fiscal analysis and/or budget may be required)

Smith River Fire Protection District is primarily financed by revenue sharing with the County of Del Norte; currently .653822% (6 tenths of a percent) of property tax revenues already collected by the county. In addition, SRFPD applies a \$27/year/dwelling-unit annual benefit assessment for habitable structures built on any parcel. Annexation will not result in property tax increase for the property owners but will facilitate revenue sharing with existing property taxes.

SRFPD has no plans to increase its benefit assessment, impose any special taxes, or impose any service charges or fees because of this annexation.

- B. Does any affected agency have any existing bonded indebtedness for which this area will become/remains liable? If so, please indicate taxpayer cost.

No.

- C. What is the total assessed value of properties (land and improvements) within the subject territory? (Note: You are encouraged to provide this information along with any existing assessments in a separate spreadsheet)

\$ 26,962,308 according to the 2022-23 Del Norte County tax roll. See attached spreadsheet for a parcel-by-parcel listing.

7. Certification, Signature:

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.

Daniel Marchese
Signature

Elaine Fallgren, SFRPD Board Chair
Title

Daniel Marchese

January 23, 2023
Date

8. INDEMNITY

Boundary changes can prompt legal challenges. Del Norte LAFCo's responsibility is to process boundary change applications. The Applicant (agency and/or property owner), may agree to **voluntarily** 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.