



**San Diego County**  
**Local Agency Formation Commission**  
 Regional Service Planning | Subdivision of the State of California

**10**

**AGENDA REPORT**  
 Public Hearing

June 3, 2019

**TO:** Commissioners

**FROM:** Keene Simonds, Executive Officer  
 Linda Zambito, Analyst I

**SUBJECT: Sphere of Influence Updates for the Julian Region**

**SUMMARY**

The San Diego County Local Agency Formation Commission (LAFCO) will consider approving sphere of influence updates for five special districts in the Julian region in east San Diego County. The sphere of influence updates are being presented as part of the Commission’s five-year study requirement under statute and draw on information included in a recently prepared municipal service review. The recommended updates affirm all five special districts’ – Cuyamaca Water District, Julian Community Services District, Lake Cuyamaca Recreation and Park District, Majestic Pines Community Services District, and Wynola Water District – existing spheres of influence without any changes.

**BACKGROUND**

**Spheres of Influence**

LAFCOs establish and maintain spheres of influence for all cities and most special districts to designate the territory it independently believes represents the appropriate and probable future service areas and jurisdictional boundaries of the affected agencies. Importantly, all jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies with limited exceptions. Recent legislation also now

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requires LAFCOs to review all local agencies' spheres every five years and update as appropriate and based on information generated as part of a municipal service review.

### **Informing Document to Sphere Update | Municipal Service Review on Julian Region**

Consistent with the current workplan San Diego LAFCO has prepared a municipal service review on the Julian region and the local agencies therein under Commission oversight that provide one or more public services in the approximate 81 square mile area in east San Diego County. A final report on the municipal service review has been separately scheduled for hearing as part of the June 3<sup>rd</sup> meeting and – among other items – recommends the Commission proceed with affirming the agencies' spheres without change.<sup>1</sup>

### **DISCUSSION**

This item is for San Diego LAFCO to consider recommendations to approve updates to the spheres for five special districts in the Julian region. The recommendations are drawn from the recently prepared municipal service review for the Julian region and would affirm the existing sphere designations for the five special districts without changes. Sphere descriptions for all five special districts follows.

- **Cuyamaca Water District**  
The sphere was established by San Diego LAFCO in 1984 and last reviewed and updated in 2013. The sphere is coterminous with the jurisdictional boundary and spans approximately 0.41 square miles in size and covers 260 unincorporated acres (parcels and public rights-of-ways) within one contiguous area. There are 228 legal parcels currently within the sphere with close to four-fifths under private ownership.
- **Julian Community Services District**  
The sphere was established by San Diego LAFCO in 1988 and last reviewed and updated in 2013. The sphere is coterminous with the jurisdictional boundary and spans approximately 0.45 square miles in size and covers 289 unincorporated acres (parcels and public rights-of-ways) within two non-contiguous areas. There are 293 legal parcels currently in the sphere with close to nine-tenths under private ownership.
- **Lake Cuyamaca Recreation and Park District**  
The sphere was established by San Diego LAFCO in 2007 and last reviewed and updated in 2013. The sphere is coterminous with the jurisdictional boundary and spans approximately 12.1 square miles in size and covers 7,743 unincorporated acres (parcels and public rights-of-ways) within one contiguous area. There are 393 legal parcels currently within the sphere with close to one-fifth under private ownership.

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<sup>1</sup> The municipal service review on the Julian region includes six local agencies: Cuyamaca Water District, Julian Community Services District, Julian-Cuyamaca Fire Protection District, Lake Cuyamaca Recreation and Park District, Majestic Pines Community Services District, and Wynola Water District. Importantly, the Julian-Cuyamaca Fire Protection District is included despite being subject to an approved dissolution that is currently awaiting judicial review as a result of legal challenges filed in April 2019. The inclusion of the Julian-Cuyamaca Fire Protection District allows the Commission to document baseline service information while also protecting from the need to prepare an addendum should the dissolution not proceed for any reason. An update to the sphere – however – is not needed.

- **Majestic Pines Community Services District**

The sphere was established by San Diego LAFCO in 1993 and last reviewed and updated in 2013. The sphere is coterminous with the jurisdictional boundary and spans approximately 1.6 square miles in size and covers 1,019 unincorporated acres (parcels and public rights-of-ways) within two contiguous areas. There are 1,479 legal parcels currently within the sphere with close to nine-tenths under private ownership.

- **Wynola Water District**

The sphere was established by San Diego LAFCO in 1984 and last reviewed and updated in 2013. The sphere is coterminous with the jurisdictional boundary and spans approximately 0.4 square miles in size and covers 255 unincorporated acres (parcels and public rights-of-ways) within one contiguous area. There are 98 legal parcels currently within the sphere with almost all – 98% – under private ownership.

## **ANALYSIS**

Proceeding with updates to affirm all five affected special districts' spheres in the Julian region is appropriate. This would renew a San Diego LAFCO policy expectation that no new boundary adjustments are expected and/or encouraged over the next five-year period. This would be also consistent with the recommendations of the municipal service review and substantiated given none of the agencies report providing service beyond their existing spheres and there does not appear to be any pending needs to establish service outside their exiting spheres. Further, should service needs emerge outside the spheres during the next five-year period, it would be appropriate for applicants to make requests for individual amendments and allow the Commission to review the merits therein on a case-by-case basis.

## **RECOMMENDATION**

It is recommended San Diego LAFCO approve updates to affirm without changes the spheres for the five affected special districts in the Julian region. This recommendation is consistent with Alternative One as outlined in the succeeding section and would satisfy the Commission's five-year sphere update obligation for the agencies.

## **ALTERNATIVES FOR ACTION**

The following alternative actions are available to San Diego LAFCO and can be accomplished through a single-approved motion.

Alternative One (recommended):

Adopt the draft resolution provided as Attachment One approving updates to affirm all five affected special districts' spheres without changes.

Alternative Two:

Continue the item and request additional information from staff as needed.

## PROCEDURES FOR CONSIDERATION

This item has been placed on the agenda for action as part of a noticed public hearing. The following procedures, accordingly, are recommended in the Commission's consideration.

- 1) Receive verbal report from staff unless waived;
- 2) Open the hearing and invite audience comments; and
- 3) Close the hearing, discuss item, and consider action on recommendation.

Respectfully,



Keene Simonds  
Executive Officer



Linda Zambito  
Analyst I

### Attachments:

- 1) Draft Resolution Approving Updates to Affirm Existing Spheres
  - Map of Cuyamaca Water District Shown as Exhibit B
  - Map of Julian Community Services District as Shown as Exhibit C
  - Map of Lake Cuyamaca Recreation and Parks Shown as District D
  - Map of Majestic Pines Community Service District Shown as Exhibit E
  - Map of Wynola Water District Shown as Exhibit F
- 2) Proof of Hearing Publication

**RESOLUTION NO.**

**RESOLUTION OF THE  
SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS**

**SPHERE OF INFLUENCE UPDATES FOR THE JULIAN REGION**

**WHEREAS**, the San Diego County Local Agency Formation Commission, hereinafter referred to as the “Commission”, is a political subdivision of the State of California with regulatory and planning responsibilities to facilitate orderly growth and development under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the Commission is responsible under Government Code Section 56425 to establish spheres of influence for all local agencies under Commission oversight with the added statutory directive that all jurisdictional changes must be consistent with the affected agencies’ spheres with limited exceptions; and

**WHEREAS**, the Commission is also responsible under Government Code Section 56425 to review and update all local agencies’ spheres of influence every five years as necessary; and

**WHEREAS**, the Commission completed a municipal service review on public services within an unincorporated area in east San Diego County known as “Julian” consistent with statute and includes the Cuyamaca Water District, Julian Community Services District, Lake Cuyamaca Recreation and Park District, Majestic Pines Community Services District, and the Wynola Water District, hereafter referred as the “affected agencies”; and

**WHEREAS**, the municipal service review on the Julian region serves as the informing document for the Commission to proceed with sphere of influence updates for the affected agencies; and

**WHEREAS**, the Executive Officer’s written report and recommendations on sphere of influence updates for the affected agencies in the Julian region was presented to the Commission in a manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting concerning the sphere of influence updates in the Julian region on June 3, 2019;

**WHEREAS**, as part of the sphere of influence update process, the Commission is required pursuant to Government Code Section 56425(e) to make a statement of written determinations with regards to certain factors.

**NOW, THEREFORE, BE IT RESOLVED**, the Commission hereby finds, determines, and orders the following:

1. The Commission determines the sphere of influence updates for the affected agencies in the Julian region represent a project under the California Environmental Quality Act, but exempt from further review under the “general rule” provided under State Guidelines 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres of influence are planning policies and any amendments or updates do not make any changes to the environment or authorize any new uses or services.
2. The Commission has considered the Executive Officer’s written report on the sphere of influence updates and recommendations therein for the affected agencies.
3. The Commission makes the statements set forth in Exhibit “A” in determining the spheres of influence for the affected agencies.
4. The Commission APPROVES updates for the affected agencies to affirm with no changes the existing sphere of influence designations.
  - a) The updated sphere of influence for Cuyamaca Water District is shown as Exhibit “B”.
  - b) The updated sphere of influence for Julian Community Services District is shown as Exhibit “C”.
  - c) The updated sphere of influence for Lake Cuyamaca Recreation and Park District is shown as Exhibit “D”.
  - d) The updated sphere of influence for Majestic Pines Community Services District is shown as Exhibit “E”.
  - e) The updated sphere of influence for Wynola Water District is shown as Exhibit “F”.

PASSED AND ADOPTED by the Commission on June 3, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

ATTEST:

\_\_\_\_\_  
TAMARON LUCKETT  
Executive Assistant

## EXHIBIT A

### SPHERE OF INFLUENCE UPDATES FOR THE JULIAN REGION

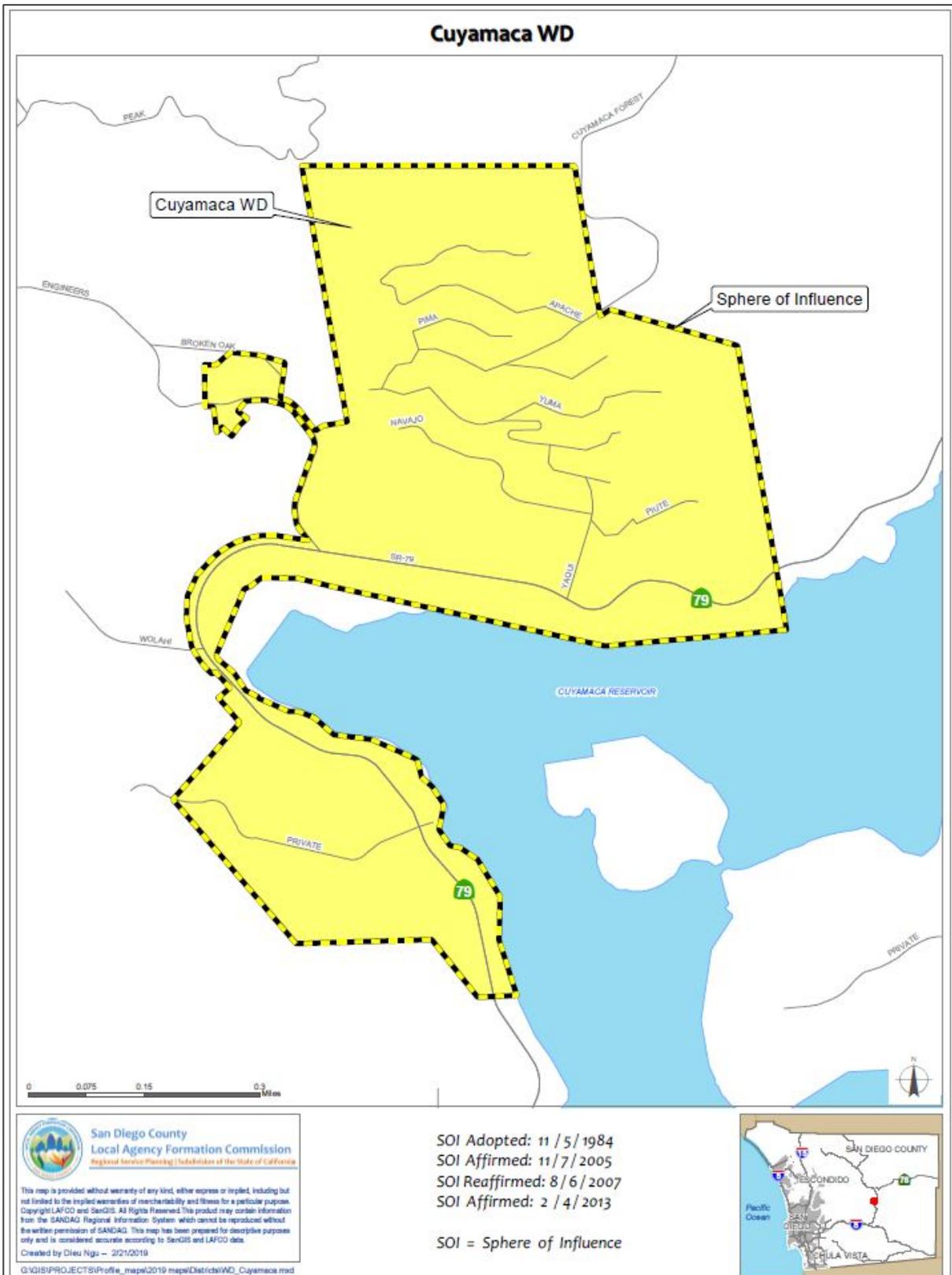
#### STATEMENT OF DETERMINATIONS GOVERNMENT CODE SECTION 56425

1. With respect to present and planned land uses in the area as required under Section 56425(e)(1), the Commission independently determines the following.
  - a) The areas within the proposed sphere of influence updates are entirely unincorporated and under the land use authority of the County of San Diego. Most of the subject lands have been developed consistent with County land use policy for low-density single-family residential. Remaining land uses in the area are limited and range from commercial to open-space. Overall there are an estimated 2,010 fulltime residents.
2. With respect to present and probable need for public facilities and services in the area as required under Section 56425(e)(2), the Commission independently determines the following.
  - a) The areas within the proposed sphere of influence updates reflect the appropriate current and near-term jurisdictional boundaries as well as service areas of the affected agencies as determined by the Commission.
3. With respect to present capacity of public facilities and adequacy of public services the agencies' provide or are authorized to provide as required under Section 56425(e)(3), the Commission independently determines the following.
  - a) A comprehensive evaluation of public services and adequacy therein for the areas has been separately prepared by the Commission as part of a municipal service review. The Commission relies on the municipal service review in making all related sphere of influence determinations for the affected agencies.
4. With respect to the existence of any relevant social or economic community of interest in the area as required under Section 56425(e)(4), the Commission independently determines the following.
  - a) The areas with the proposed sphere of influence updates have established social and economic interdependencies with the affected agencies through existing or – in limited instances - expected provision of municipal services. These existing interdependencies have been memorialized by the Commission in past actions to include the lands in the spheres of influence of the affected agencies.

5. With respect to the present and probable need for public water, sewer, and fire protection services of any disadvantaged unincorporated communities within or adjacent to the sphere as required under Section 56425(e)(5), the Commission independently determines the following.
  - a) The majority of the areas within the proposed sphere of influence updates qualify as disadvantaged unincorporated communities under State and local policy. Furthermore, a significant amount of the lands immediately to the north and east of areas qualify as disadvantaged unincorporated communities.
  - b) All lands in and immediately adjacent to the areas that qualify as disadvantaged unincorporated communities receive fire protection services from Julian-Cuyamaca Fire Protection District or County Service Area No. 135.
  - c) The majority of lands in and immediately adjacent to the areas that qualify as disadvantaged unincorporated communities receive water service from the affected agencies or a private mutual water company. The level of need for public water service in the remaining lands is uncertain at this time and merits additional review.
  - d) A small portion of lands within and immediately adjacent to the areas that qualify as disadvantaged unincorporated communities receive wastewater services from San Diego County Sanitation District. The level of need for public wastewater service in the remaining lands is uncertain at this time and merits additional review.

# EXHIBIT B

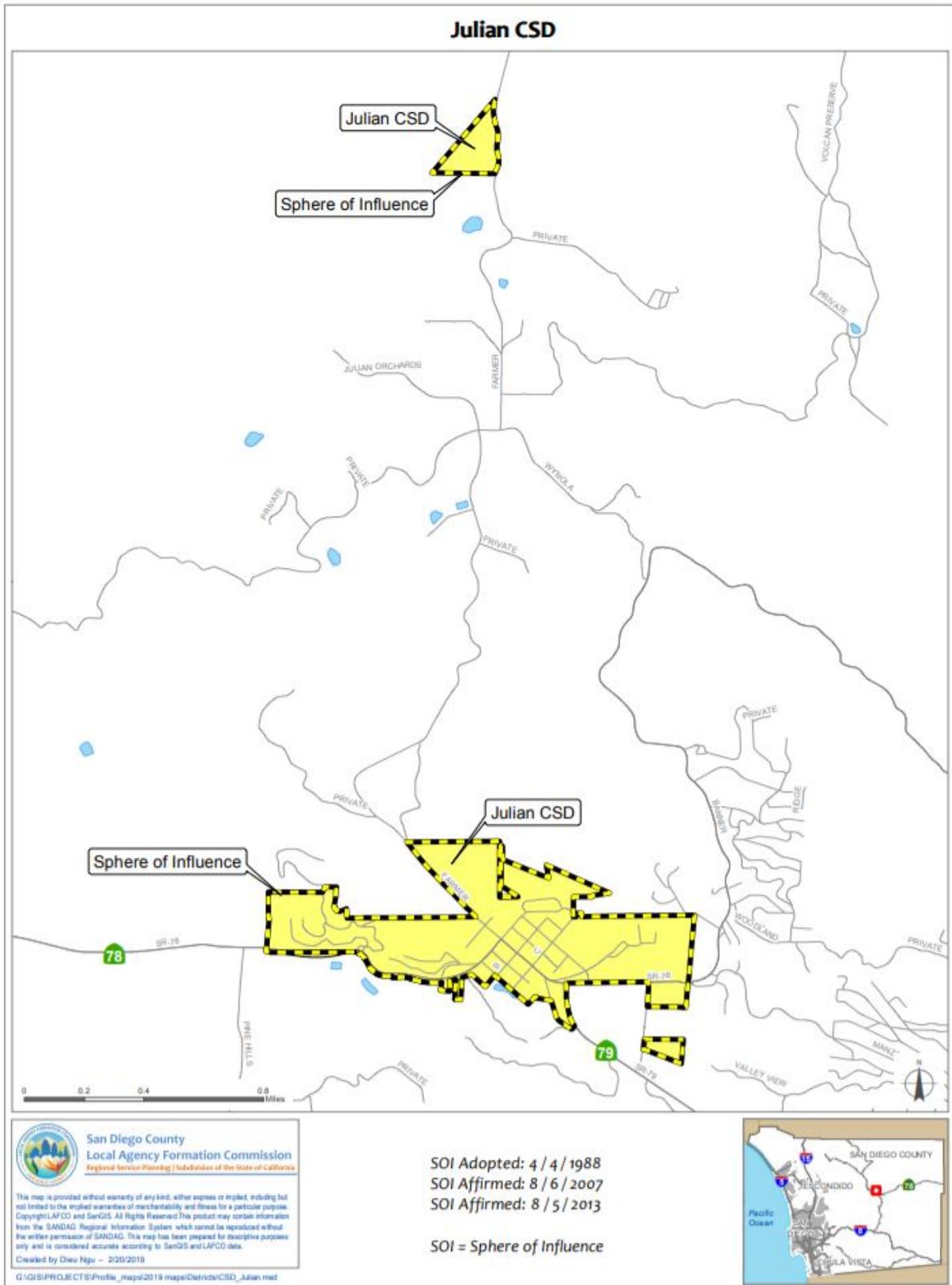
## SPHERE OF INFLUENCE UPDATES FOR THE JULIAN REGION CUYAMACA WATER DISTRICT



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# EXHIBIT C

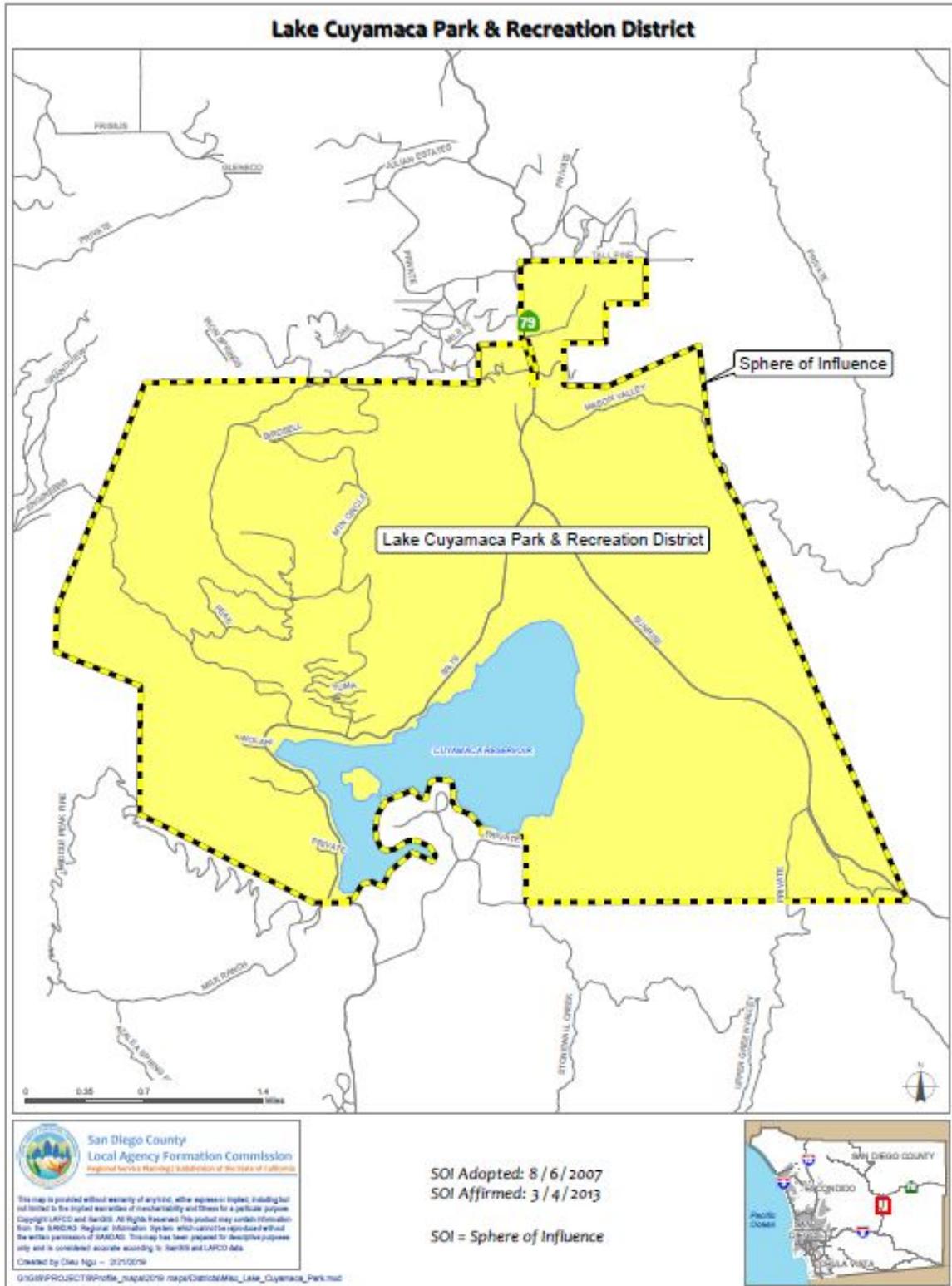
## SPHERE OF INFLUENCE UPDATES FOR THE JULIAN REGION JULIAN COMMUNITY SERVICES DISTRICT



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# EXHIBIT D

## SPHERE OF INFLUENCE UPDATES FOR THE JULIAN REGION LAKE CUYAMACA RECREATION AND PARK DISTRICT



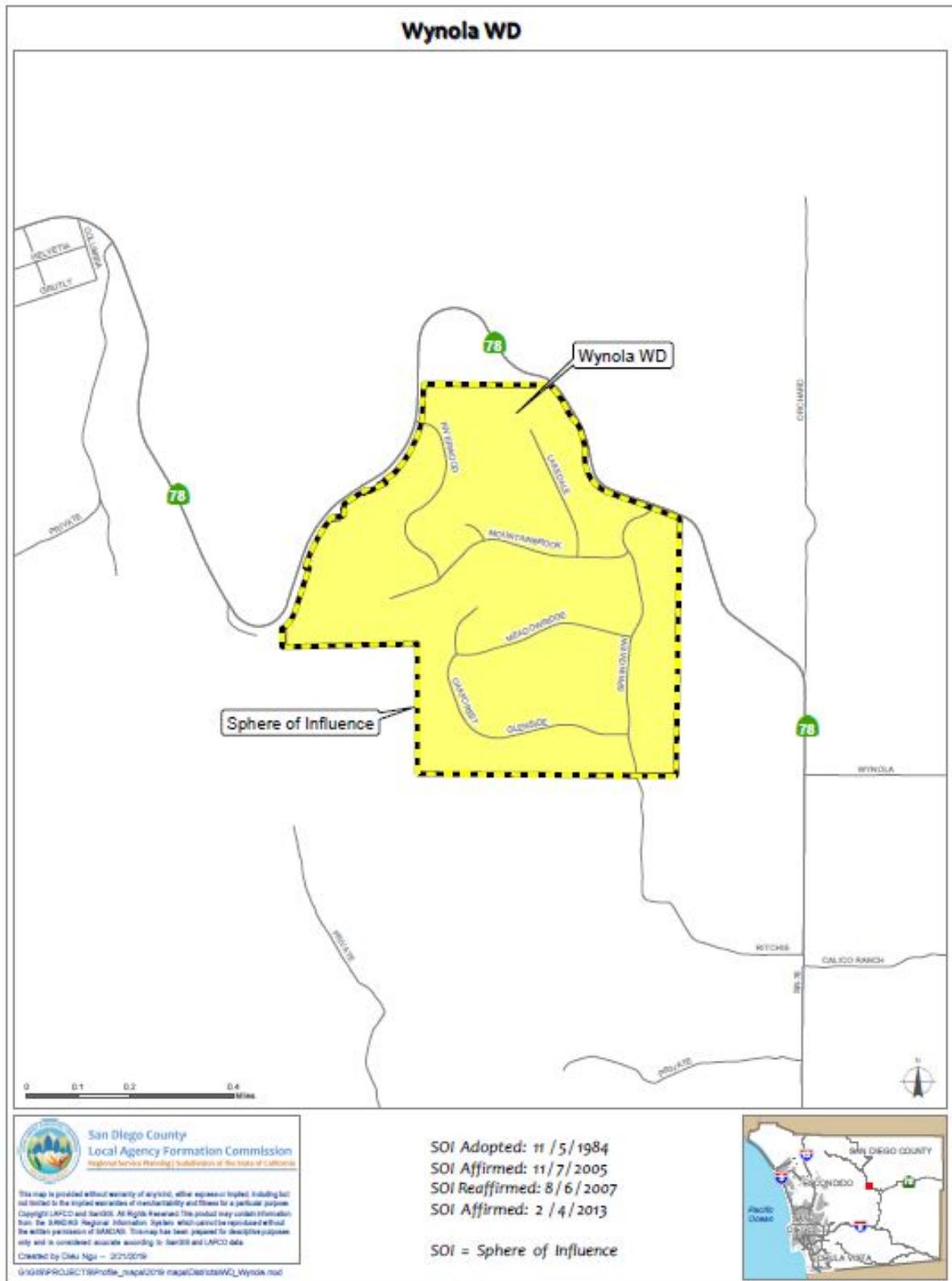
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# EXHIBIT F

## SPHERE OF INFLUENCE UPDATES FOR THE JULIAN REGION WYNOLA WATER DISTRICT



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# The San Diego Union-Tribune

## PROOF OF PUBLICATION

STATE OF CALIFORNIA  
County of San Diego

The Undersigned, declares under penalty of perjury under the laws of the State of California: That he/she is the resident of the County of San Diego. That he/she is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that he/she is not a party to, nor interested in the above entitled matter; that he/she is Chief Clerk for the publisher of

### The San Diego Union-Tribune

a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in said newspaper in accordance with the instruction of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**May 13, 2019**

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated in the City of San Diego, California  
on this 13<sup>th</sup> of May 2019



Deonna Calvillo  
San Diego Union-Tribune  
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### SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

#### NOTICE OF PUBLIC HEARING

Notice is hereby given the San Diego County Local Agency Formation Commission ("LAFCO") will hold a regular meeting on **Monday, June 3, 2019** at 9:00 a.m. at the County Administration Center, Room 302, 1600 Pacific Highway, San Diego, California, to consider – and among other items – the following matter:

#### SPHERE OF INFLUENCE UPDATES JULIAN REGION

In accordance with Government Code Section 56425, LAFCO will open a public hearing to consider taking formal action to update the spheres of influence for all of the following local agencies in the unincorporated community of Julian: (a) Cuyamaca Water District; (b) Julian Community Services District; (c) Lake Cuyamaca Recreation and Park District; (d) Majestic Pines Community Services District; and (e) Wynola Water District. An associated municipal service review on the Julian region serves as the source document in informing the updates and is available for viewing online at [www.sdiafco.org](http://www.sdiafco.org). The agenda report on the sphere updates with specific recommendations will be available online no later than May 24, 2019. The public is encouraged to review these materials and attend the public hearing on Monday, June 3rd. If you have any questions regarding this notice, please contact the LAFCO office at (858) 614-7755.

PUBLISHED: May 13, 2019

Keene Simonds, Executive Officer

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