

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MARCH 27, 2013

REGULAR MEETING

TO: Don Mette, Chairman, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Policy Analyst

AGENDA ITEM #4B: APPROVAL OF AN EXTENSION OF TIME FOR THE
SUBMISSION OF FINAL APPLICATION REQUIREMENTS:
DEUBEL ANNEXATION INTO CAMERON ESTATES CSD

LAFCO Project No. 2012-03

PROPONENT: George Deubel

RECOMMENDATION

Staff requests that the Commission approve a 12-month time extension for the Deubel Annexation into Cameron Estates CSD so that the applicant may have sufficient time to complete all final application requirements. The time extension would be effective retroactively from March 13, 2013 until March 13, 2014.

REASON FOR RECOMMENDED ACTION

According to El Dorado LAFCO Policies 3.1.3, 3.1.6 and 3.1.7, all required final application materials, including but not limited to an adequate environmental document, are required before an application is deemed complete, and if all final application requirements are not completed within six months, the project will be closed.

The Deubel Annexation has two remaining final application requirements which must be completed before a Certificate of Filing can be issued and the hearing date can be set; 1) an annexation agreement between the Cameron Estates Community Services District (District) and Mr. Deubel, and 2) an appropriate environmental review for the project. For reasons outside of the applicant's control, these items have not been completed within the standard six month deadline.

BACKGROUND

Sections 3.1.3, 3.1.6 and 3.1.7 read:

- 3.1.3 Any application submitted to LAFCO is considered a preliminary submittal and will not be deemed filed until such time as all required information, fees and materials are received. Preliminary processing may occur during the preliminary submittal phase.
- 3.1.6 No application shall be deemed filed for processing purposes until the Executive Officer makes an environmental determination pursuant to the requirements of the California Environmental Quality Act (Policy 3.2.4) and environmental documentation has been completed that adequately addresses the requirements of CEQA and El Dorado LAFCO's CEQA Procedures (Policy 3.2.5).
- 3.1.7 Additional application requirements including maps, fees, signed application forms, etc. must be completed within six months following the property tax redistribution agreement. If the application remains incomplete after six months the project will be closed and the proposal will be terminated.

At the request of the District, an annexation agreement is a requirement for this project, in order to mitigate any impacts to the District as a result of the annexation. The District and Mr. Deubel are currently working towards this goal; however, additional time is being requested to allow both parties to come to an agreement. The District has indicated that they will likely adopt a formal annexation policy and require the preparation of a traffic study analysis as part of the agreement. The District anticipates this will take approximately six months to complete.

LAFCO, as lead agency for the annexation, will need to prepare an Initial Study to determine the level of environmental review that is appropriate for the annexation. However, LAFCO cannot begin the environmental analysis until the annexation agreement has been completed, because 1) if an agreement cannot be reached by both parties, any staff time spent on an environmental review will be costly to the applicant, and unnecessary, and 2) LAFCO will likely utilize any studies prepared as part of the agreement when preparing the Initial Study and subsequent environmental review. LAFCO staff anticipates this will take approximately six additional months to complete.

If the Commission were to deny the extension request, the project would be closed without a refund of deposit. The proponent would be eligible to reapply for annexation one year after this date; however, the process would start from the beginning.