

FORMATION OF A SPECIAL DISTRICT APPLICATION

Submit the following items for formation of a special district:

1. Application for formation of a special district.
2. A certified Resolution of Application **OR** a petition containing the signatures as specified in the applicable principal act.
3. One copy of a metes-and-bounds legal description of the perimeter of the subject area.
4. One reproducible plat map with 10 prints.
5. Two copies of a vicinity map showing the geographic location of the territory proposed for inclusion in the new district.
6. Environmental documentation: (submit documents from one category)

Initial Study: If no environmental review has been conducted, submit a completed Initial Study form available from the LAFCO office.

Categorical Exemption: If an agency has certified that the project qualifies for a categorical exemption from CEQA, please submit one copy of this finding.

Negative Declaration: If a Negative Declaration (ND) has been prepared, submit one copy of the ND with its certifying resolution and Initial Study.

Environmental Impact Report: If an Environmental Impact Report (EIR) has been prepared, submit 15 copies of the EIR with the certifying resolution. If applicable, only one copy of an appendix is required.
7. A three-year proposed operating budget containing details concerning staffing, benefits, services and supplies, fixed assets, contingency reserves, etc.
8. A Capital Improvement Program budget for proposed capital projects.
9. LAFCO processing fee (refer to fee schedule or contact LAFCO Officer.)
10. Disclosure Statement (available from LAFCO office).

Additional information may be requested during staff's review of the proposal.

FORMATION OF A SPECIAL DISTRICT APPLICATION

The information in this application is used by LAFCO staff to evaluate requests for formation of a special district. Please respond to all items in this form and indicate "NA" when an item does **not** apply.

As part of this application, the City of _____ or the _____ District, _____ (the applicant), and/or the _____ (real party in interest): subject landowner and/or registered voter agrees to defend, indemnify, hold harmless, and release the San Diego LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any or all of them, the purpose of which is to attack, set aside, void, or annul San Diego LAFCO's review, approval or denial of this application or adoption of or refusal to adopt the environmental document which accompanies it or any other action San Diego LAFCO takes with respect to this application. This defense and indemnification obligation shall include, but not be limited to, attorneys' fees, expert witness fees and other costs of defense, damages, costs, and expenses, including attorney fees payable to another party. Applicant and/or real party in interest agree that San Diego LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest that San Diego LAFCO's taking such action does not limit the obligations to indemnify and reimburse San Diego LAFCO's defense costs. This defense and indemnification obligation shall apply whether or not there is concurrent passive or active negligence on the part of the San Diego LAFCO, its agents, officers, attorney's, or employee. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. San Diego LAFCO's acceptance of this application is sufficient to make this agreement a binding, bilateral contract between us.

I acknowledge that annexation to the City of _____ or the _____ District may result in the imposition of taxes, fees and assessments ***existing within the (city or district)*** on the effective date of annexation. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot proceeding or an election on those ***existing taxes, fees and assessments.***

Agreed:

Signature: _____ Date: _____

Print/Type Name: _____

Address: _____

Telephone: _____

List the name and address of person(s) who also are to receive notices of these proceedings:

Name: _____

Address: _____

Telephone: _____

Name: _____

Address: _____

Telephone: _____

DESCRIPTION / JUSTIFICATION

1. Explain why the formation of a new district is being proposed and justify why a new district should be formed instead of annexing the territory to an existing district.

2. List all services to be provided by the new district and discuss why the service(s) is/are necessary at this time.

3. Describe the rationale and methods used to establish the boundaries of the proposed district.

4. Describe how the district's board of directors would be established (elected, or appointed by the County Board of Supervisors).

5. Explain the potential for the proposed new district to annex adjacent territory, and the likelihood that the district boundary will be extended in the future.

6. How many residents are within the proposed district? _____
How many of these are registered voters? _____
What is the source of your calculation? _____

7. Are there any jurisdictional issues associated with the proposed special district formation?
(If yes, please complete the LAFCO Policy L-107 form)

☐ YES

☐ NO

LAND USE INFORMATION

1. How many acres or square miles of territory would be included within the proposed district?

2. List any existing, adjacent or neighboring agency(ies) that either currently provides or is authorized to provide the service requested by this proposal.

3. Describe the current prevalent land uses and the predominant General Plan designations in the area. _____

4. Is any change in land use anticipated as a result of this proposal? What other land uses or new development might occur? _____

5. Describe the topography of the area as well as the proposed district's geographic location in relation to cities, communities, freeways/highways, or major landmarks.

SPHERE OF INFLUENCE INFORMATION: A “sphere of influence” is defined as a plan for the probable physical boundaries and service area of a local governmental agency, as determined by the Local Agency Formation Commission (Government Code § 56076).

1. If a sphere is proposed as part of the district formation proposal, please show the proposed sphere boundary on a plat map. Explain the rationale used in this determination (e.g., plans of the new district to provide service in the proposed sphere area, etc).

2. If any of the territory proposed for inclusion within the new district is within another agency's sphere, please state which one(s). _____

3. List any existing agency(ies) within the proposed sphere that are providing or are authorized to provide the same service that the new district would be providing (i.e., cities, districts, private companies).

FISCAL INFORMATION: For the questions in this section, please submit answers on additional pages and attach to this form.

1. Explain how the new district, if formed, would be financed (i.e., source of funding).
2. Discuss the anticipated cost of district services to residents/service users.
3. Discuss the financial feasibility of providing the proposed service(s) through alternative arrangements (i.e., annexation to an existing agency, service contract with a private entity, etc.).