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LAFCO

PHILLIPSVILLE COMMUNITY SERVICES DISTRICT



SPHERE OF INFLUENCE

Humboldt County Local Agency Formation Commission

Background and Authority

The Local Agency Formation Commission is required to adopt a sphere of influence for each local governmental jurisdiction. A sphere of influence is defined as a " plan for the probable ultimate boundaries and service area of a local governmental agency. " An adopted sphere of influence is generally used as a planning tool to provide guidance in reviewing individual proposals, to promote efficient provision of organized community services and prevent duplication of service delivery. Inclusion within an agency's sphere does not guarantee that an area will automatically be annexed. The sphere is only one of several factors the Commission is required to consider in reviewing individual proposals.

LAFCO Membership 1999

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Introduction

History of LAFCO

The end of World War II saw California experiencing a tremendous population increase, which resulted in the sporadic formation of cities and special service districts. The results of this development boom became evident as more of California's agricultural land was converted to urban uses. Premature and unplanned development created inefficient, expensive systems of delivering public services using various small units of local government.

In 1959, in recognition of this problem Governor Edmund G. Brown appointed the Commission on Metropolitan Area Problems. The Commission's charge was to study and make recommendations on the "misuse of land resources" and the growing complexity of overlapping, local governmental jurisdictions. The Commission's recommendations on local governmental reorganization were introduced in the Legislature in 1963, resulting in the creation of Local Agency Formation Commission, or "LAFCOs", operating in each County except San Francisco.

In 1965 the Legislature approved the District Reorganization Act (DRA). This Act combined separate laws governing special district boundaries into a single law. Another law, the Municipal Organization Act of 1977 (MORGA) consolidated various laws on city incorporation and annexation into one law.

These three laws contained many parallel and duplicative provisions. However, similar procedures varied slightly from one law to another, and the procedures necessary for one type of boundary change were found in vastly different sections of the three laws. Although MORGA was the most current revision of city annexation statutes, many cities in the state were required to use DRA so that areas being annexed could be simultaneously detached from special districts. All three laws contained application and hearing procedures for LAFCOs, but there were inconsistencies among them. This made city and district boundary changes unnecessarily confusing and complicated for local agencies and LAFCOs, as well as for residents and property owners.

Cortese-Knox Local Governmental Reorganization Act of 1985

The Cortese-Knox Local Government Reorganization Act of 1985 followed several years of cooperative effort between Assembly Member Dominic Cortese, former Chair of the Assembly Local Government Committee and the California Association of Local Agency Formation Commissions (CALAFCO). The Act, which became operative January 1, 1986, consolidated the three major laws used by California's local governments for boundary changes into single, unified law.

Local Agency Formation Commissions (LAFCOs) have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. The primary objectives of LAFCOs are to encourage the orderly formation of local government agencies, to preserve agricultural and open space land, and to discourage urban sprawl.

Purpose of the Sphere

The Humboldt County Local Agency Formation Commission is required to adopt a sphere of influence for each local governmental agency within its jurisdiction. A sphere of influence is defined as a "plan for the probable physical boundaries and service area of a local government agency as determined by the commission." (Per Section 56076 of the Government Code).

A sphere is primarily a planning tool that provides guidance in reviewing individual proposals, promotes efficient provision of organized community services, and prevents duplication of services. Inclusion within an agency's sphere does not indicate that an affected area automatically will be annexed. An adopted sphere of influence is only one of several factors that the Commission must consider in reviewing proposed changes of organization.

In determining a sphere of influence, the Commission is required to consider and make written determinations with respect to the following factors, (Per Section 56425 of the Government Code):

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services, which the agency provides, or is authorized to provide.
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.

Sphere of Influence Determinations

There are three different types of sphere of influence designations. These are:

1. An **expanded** sphere of influence which implies that the district *will*, at some time be expected to expand its physical boundaries and service area.
2. A **zero** sphere of influence which indicates that *future dissolution* of this district is either anticipated or desired.
3. A **Status quo** sphere of influence which indicates the district *does not want or cannot provide* services outside the districts current service area. In spheres of this nature, district boundaries and sphere boundaries are **coterminous**.

Phillipsville CSD Statistics

Project Location

The Phillipsville Community Services District (CSD) is located in South-central Humboldt County, 60 miles Southeast of the City of Eureka adjacent to the South Fork of the Eel River, south of Miranda and north of Garberville/Redway area. It covers an area of approximately 180 acres and serves an estimated population of 140. Humboldt Redwoods State Park provides a contiguous boundary around Phillipsville. (See Location Map Figure 1).

Principal Act District Powers

The principal Act for the district may be found in Government Code Section 61000-61936. This division is known as the Community Services Districts Act. *Appendix 1* includes a detailed description of the services provided by Community Services Districts.

Background Information

Formation of the Phillipsville CSD

The Phillipsville Community Services District was declared formed in August of 1989 after a successful special election was held. The District was established in order to supply the residents of Phillipsville with potable water along with fire protection and suppression.

Governing Board

The Phillipsville Community Services District is an *Independent District*. The five member Board of Directors is elected at large for a term of two years.

District Services and Assets

The Phillipsville CSD provides fire protection, emergency medical response and water services.

District Services and Assets

The Phillipsville CSD did not file an adopted budget with the County Auditor.

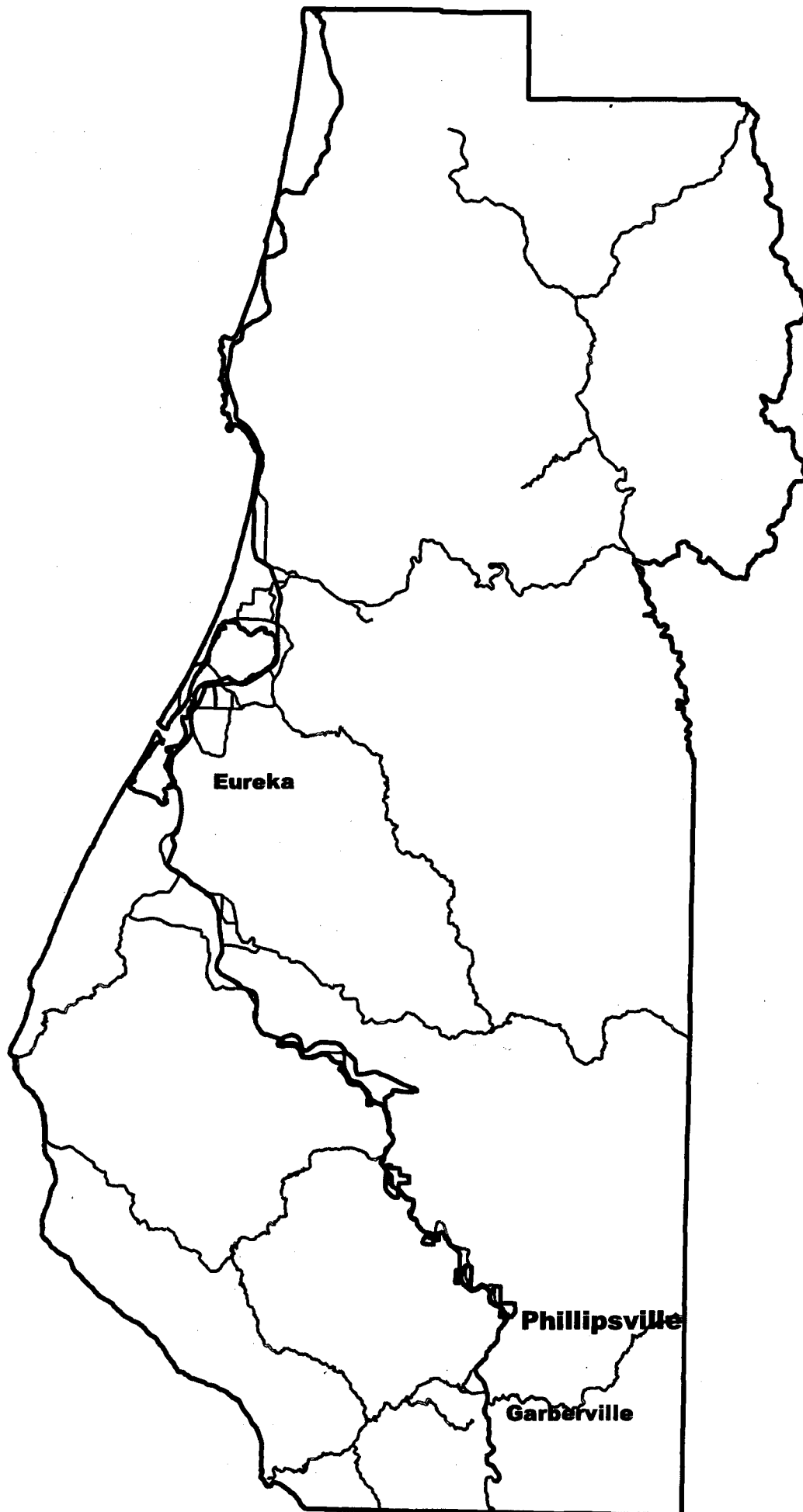


Figure 1
Location
Phillipsville
1999



Other Service Providers within the District

The County of Humboldt provides Phillipsville with general governmental and law enforcement services.

During the fire season from June to September, the California Department of Forestry and Fire Protection provides fire suppression services for the Public and Natural Resource Lands surrounding Phillipsville. The California Department of Forestry and Fire Protection has an automatic aid agreement with the Phillipsville CSD.

Analysis

A Sphere of Influence provides a plan for the probable physical boundaries and service area of a local agency, as determined by the Local Agency Formation Commission (LAFCO).

LAFCO considered all of the following factors and made the following written determinations in adopting the sphere of influence for the Phillipsville CSD.

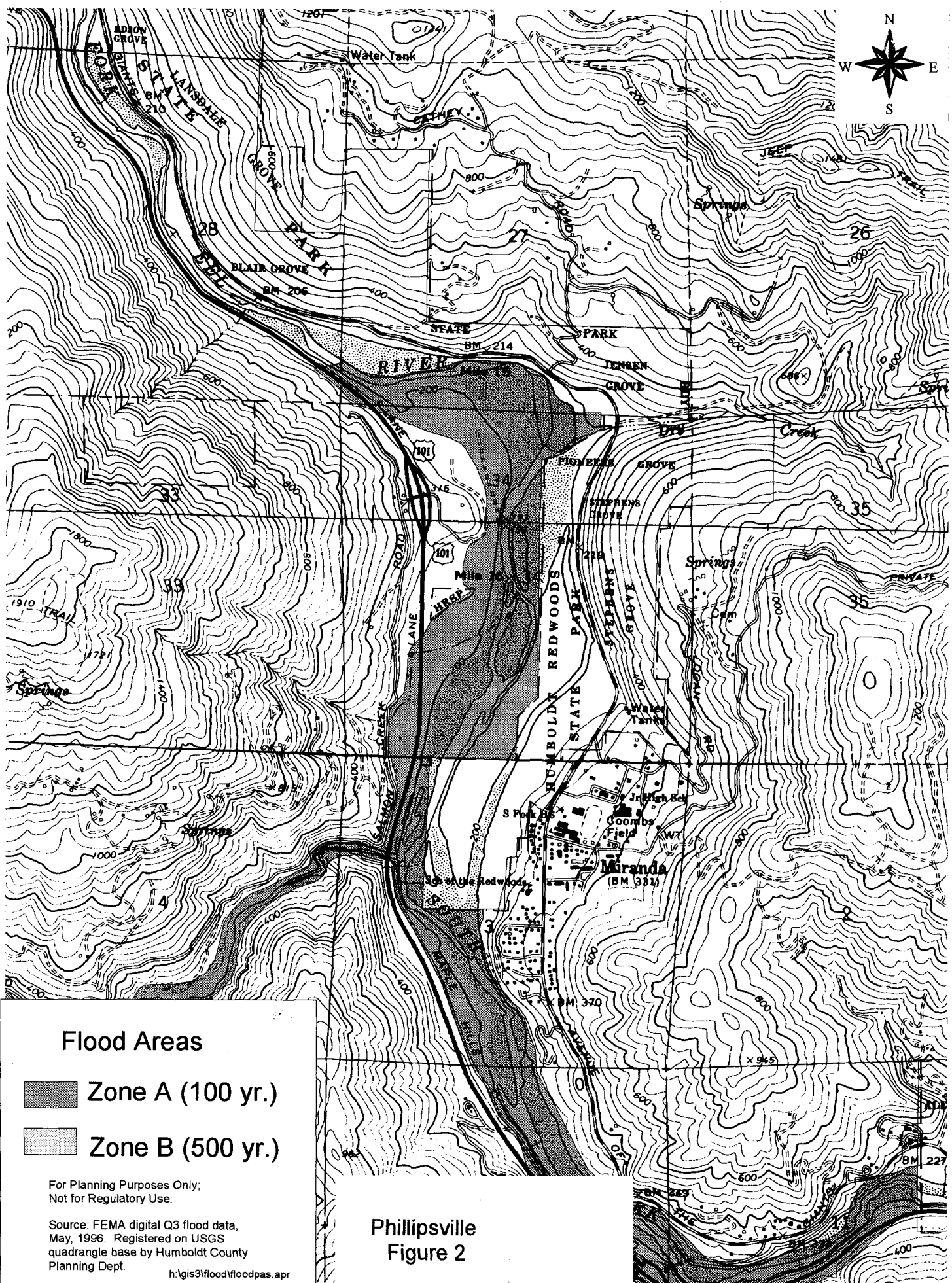
1. **"The present and planned land uses in the area, including but not limited to, residential, commercial, industrial development and agricultural and open space lands."**

Present Land Use

Current land use within the Phillipsville Community Services District includes primarily rural uses with very low-density residential, commercial and agricultural uses. The territory surrounding the District is used for recreation, agriculture and timber production. Phillipsville has a total of 174 parcels in the Community Services District, as illustrated in Figure 4.

Phillipsville is rated with a High Fire Hazard rating. All of the land in Phillipsville is within the State Responsibility Area (SRA) as mapped by the California Department of Forestry and Fire Protection: (See Figure 3).

The physical features and predominance of public lands in the territory surrounding the Phillipsville Community Services District do much to define an appropriate Sphere of Influence for the District. In general, public land and land that will not be extensively developed will not need to be included within the boundaries and service area of the District. Likewise, services should not be extended to or through areas intended for continued resource production. The proximity of such services can lead to the premature conversion of resource lands to other uses because of increased property values and tax assessments.



Humboldt County

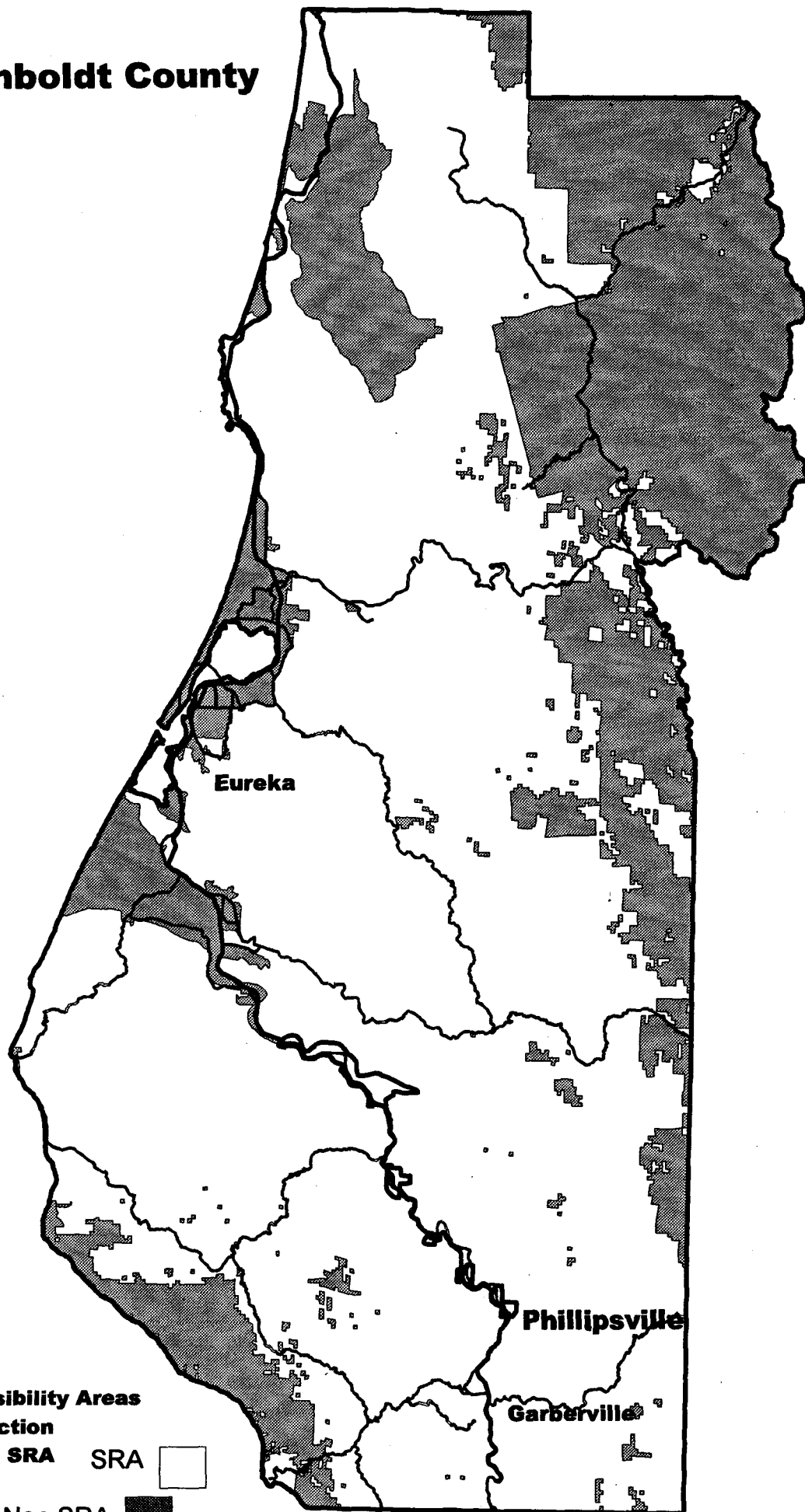
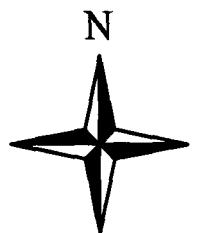


Figure 3
State Responsibility Areas
For Fire Protection
Phillipsville in SRA
1999

SRA 

Non SRA 



Planned Land Uses:

The Draft Avenue of the Giants Community Plan of 1999 has identified many goals and objectives for the Phillipsville community, which include:

- Promoting tourism,
- Developing a multi-use recreational trail system,
- Fisheries restoration,
- Business development, and
- Upgrading community infrastructure and public services, (including the establishment of year-round fire protection through an Amador agreement with the California Department of Forestry and Fire Protection).

The Draft Plan also includes the following "Community Vision" for Phillipsville:

"In the future, the Phillipsville community will continue to be an attractive southern gateway to the Avenue of the Giants. There will be community meeting, recreation and social facilities for local residents and visitors, as well as a reliable water system and a completed Fire Hall. Successful cottage industries will employ adults and youth in the community. Affordable housing and improved low-income housing will be available, and property values will be comparable to similar areas.

Phillipsville and the State Park will have an interdependent relationship and the Park will be well-utilized and easy to access. There will be plenty of things for tourists to do in Phillipsville, and tourists will stay longer. The recreational fishery on the Eel will be restored and there will be more river access and more river-oriented recreation uses. A safe, multi-use path winds along the Avenue and the southern end of the Avenues will be more park-like with redwoods."

The following table illustrates the planned land uses and potential build-out for the community of Phillipsville.

Phillipsville Proposed Land Use Summary and Potential Build-Out*

Proposed Land Use Designations	Total Acres	Percent of Total	Density Range	Maximum Potential Units
Agricultural Rural (AR 5-20)	213	29	20-5 ac/du	11-43
Residential Low Density (RL)	2	.3	4 ac/du	8
Conservation Floodplain Recreation (CFR)	243	33	0	0
Commercial Recreation (CR)	21	3	N/A	+/- 14
Public Lands (P)	267	36	N/A	
Total	746	100		33-65

*Figure 5 illustrates the proposed land use designations in the Avenue of the Giants Draft Community Plan.

Approximately 69% of land in Phillipsville is in resource management, and 32% is planned residential & commercial. There are 85 housing units.

Lower Phillipsville is in the 100 year flood plain. Build-out and re-building on existing parcels can occur consistent with FEMA regulations, but the plan does not encourage increased densities in the flood plain. The plan directs new residential development to the upland areas.

The following issues were identified in preparing the Draft Community Plan:

Issues:

1. Some residents in the lower section of town have expressed an interest in cottage industry which might be appropriate in the flood plain.
2. The community of Phillipsville is working to complete its Fire Hall, which will provide improved response times for the town.
3. The ballfields should be retained as ballfields.
4. The moto-cross is an issue for some residents, with noise disturbance, water use, and incompatibility of uses sited.

Flood hazards and service capacity limits were also an important factor in limiting development potential in the Phillipsville community.

Figure 5 illustrates the planned land uses for Phillipsville.

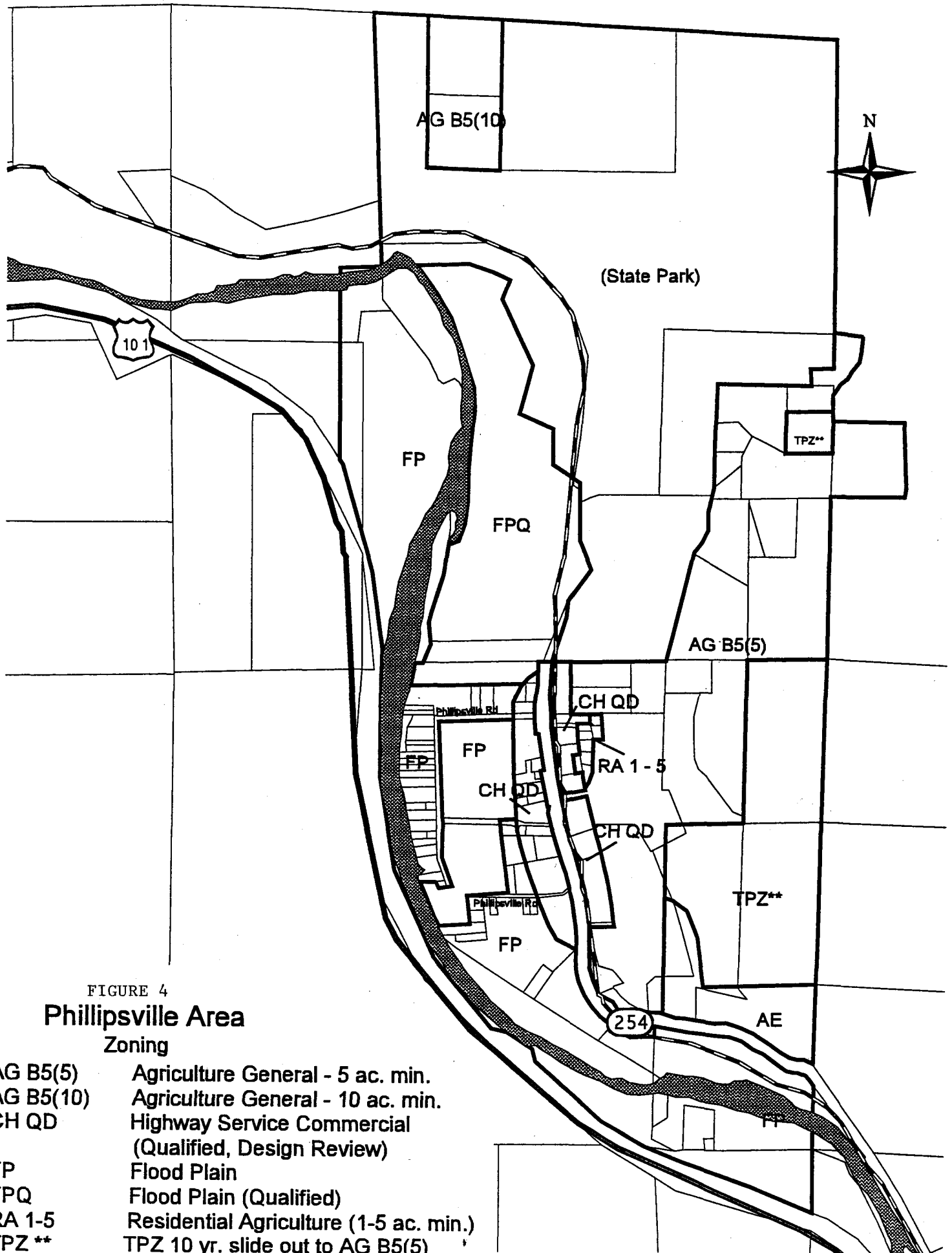
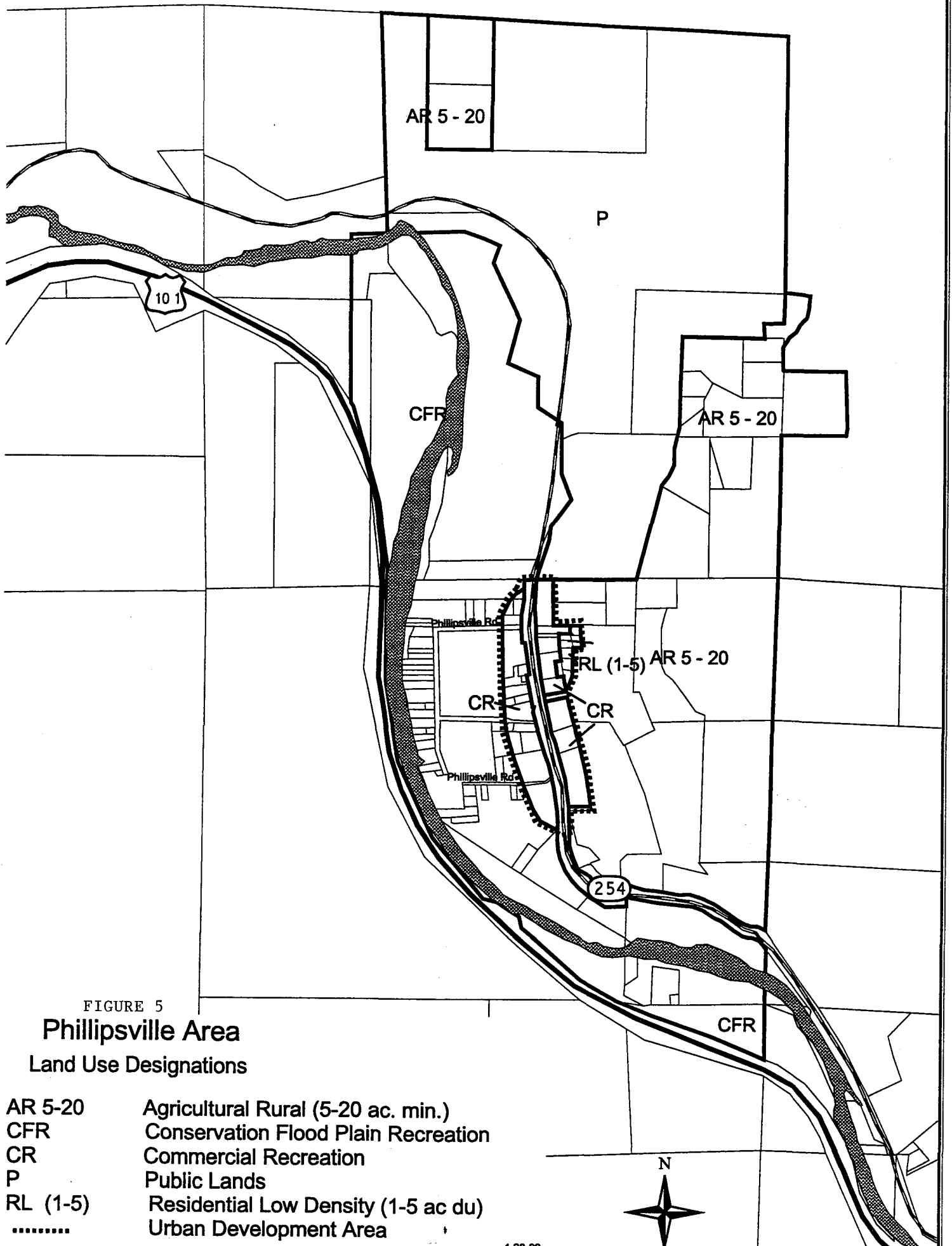


FIGURE 4

Phillipsville Area Zoning

AG B5(5)	Agriculture General - 5 ac. min.
AG B5(10)	Agriculture General - 10 ac. min.
CH QD	Highway Service Commercial (Qualified, Design Review)
FP	Flood Plain
FPQ	Flood Plain (Qualified)
RA 1-5	Residential Agriculture (1-5 ac. min.)
TPZ **	TPZ 10 yr. slide out to AG B5(5)



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

The following demographic data¹ was prepared to help draft the Community Plan and is important for understanding the probable need for public facilities and services in Phillipsville.

Year	Community Services District Population	Community Services District Area (Approximate Acres)
1970		180 Acres
1980		180 Acres
1990	140	180 Acres
2008 ¹		180 Acres

The residents of the Phillipsville area will continue to require fire protection, emergency medical response and water service, as currently provided by the Phillipsville Community Services District. Future types and densities of development will not be sufficient to warrant major changes in service provision: (i.e. city incorporation).

While the Volunteer Fire Fighters currently meet the basic fire protection and emergency medical response needs of the people who live in Phillipsville, there is a need to improve winter time fire protection services.

The Draft Community Plan proposes year-round fire protection, emergency response and training services from the Weott CDF station. An Amador Plan would be established as part of the Avenue of Giants Community Plan update to extend mutual aid agreements between local volunteer fire departments and CDF.

The combined communities have generated an action plan, and are planning on applying for grants to cover the cost of the first 2 years of Amador project operation. Concurrently, the communities may form a County benefit assessment district, or request the formation of a Dependent County Service Area through LAFCo.

While the Phillipsville CSD has experienced some difficulty in maintaining a Board of Directors and following through with grant funded water service improvements, the County Board of Supervisors has recently appointed a new District Board which is working diligently towards securing the local mutual water association and making the much needed improvements.

¹ Future population is based on a straight-line calculation for Phillipsville using the Counties 6.6% growth rate for unincorporated areas. This figure is not calibrated to adjust for seasonal influx.

3. "The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide."

The Phillipsville Volunteer Fire Department provides a full range of structural and watershed fire protection as well as emergency medical response. The Phillipsville Volunteer Fire Department fire fighting force is an all-volunteer staff. The District manages the fire department.

The District operates from a fire station located on State Highway 254 supplying first responder emergency medical assistance and is serviced by Garberville Ambulance Service. The response time from receiving the call to arriving on the scene can range from a few minutes up to ten minutes.

The Phillipsville Community Service District is the largest water supplier in the Phillipsville area. The District supplies water for domestic, irrigation, sanitation, commercial, fire protection and recreational uses. The District obtains its water from a spring, which provides for all of the winter and spring usage of water and a well, which provides for 80% of the water during the fall and summer months.

Phillipsville water system currently consists of a developed spring head area northeasterly of Phillipsville in a forested hillside; a spring backup water source consists of an old irrigation well located on the river valley floor. Minimum estimated dry yield of springhead is 18,000gpd yielding 43,200 gpd. The water is chlorinated. Storage consists of 1,800-gallon fiberglass tank; 400-gallon secondary concrete tank; 3,500-gallon wooden tank; an abandoned 60,000-gallon tank and a 1,000 gallon tank. It is gravity fed system with a 500-gallon wood tank connected by a 2" pipe into a deteriorated 10,000-gallon redwood tank with a 3" pipe providing service down the Avenue of the Giants. A backup source is comprised of a well in the North and West portion of town tied directly to a water main pump and chlorinator.

The Phillipsville Community Services District has 69 water meters in place as of August 1998. The District will continue to pursue grant funding to upgrade the water system, bring water pipes to code, and develop an alternative water source.

4. "The existence of social and economic interdependence and interaction between the area within the boundaries of a local governmental agency and the area which surround it and which could be considered within the agencies sphere of influence."

The residents of the Phillipsville area share limited social and economic interests with residents of the Miranda community located north of Phillipsville and Redway to the south. This relationship is in part due to the proximity of these communities to each other and their situation along Avenue of the Giants, located in the Humboldt Redwoods State Park. This limited social and economic relationship is not, however, sufficient to impact the determination of the Phillipsville Community Services District's Sphere of Influence at this time.

The forest industry was a leading reason for towns, industries and homes being developed on the narrow river channel on the low terraced lands of the South Fork of the Eel River. Over the years communities like Phillipsville have come to rely on the economic development of tourism, from people seeking the summer recreation opportunities and tranquility of this picturesque rural community.

The devastating floods of 1955 and 1964 have limited the development of residences and other permanent buildings in the flood hazard areas of Phillipsville. The boundaries of the proposed sphere are determined to a great degree by the South Fork of the Eel River, Humboldt Redwoods State Park and adjacent timberlands.

The Phillipsville CSD was formed in order to provide fire protection and improve the delivery of water services to the residents of Phillipsville. The public anticipates that adequate planning for future growth and service will continue. The Phillipsville CSD will continue to provide fire protection, emergency medical response and water services to the residents of Phillipsville, and will remain an important part of the social and economic structure.

Adopted Phillipsville CSD Sphere of Influence

The residents of Phillipsville enjoy an adequate range of fire protection and water services from the Phillipsville CSD, and the CSD appears to be the appropriate vehicle for the provision of these services. It is unlikely that population growth in the area will be sufficient to justify city incorporation in Phillipsville in the foreseeable future.

In consideration of the following factors, the Local Agency Formation Commission has determined a **status quo** sphere of influence for the Phillipsville CSD because:

1. The area adjacent to the district is either public or preserve land which requires fire protection services from CDF and public resource agencies.
2. Volunteers privately support fire protection services, which limits service capacity.
3. There are water constraints that limit fire protection services.
4. Development potential within Phillipsville is limited because of existing flood hazards.
5. The Avenues Community Plan limits development potential within Phillipsville due to flood hazards and limited service capacities.
6. The South Fork of the Eel River, Humboldt Redwoods State Park, and lands zoned for resource production (TPZ) establish a clear boundary for the District and ultimate sphere of influence.

Figure 6 illustrates the adopted status quo sphere of influence for the Phillipsville CSD.

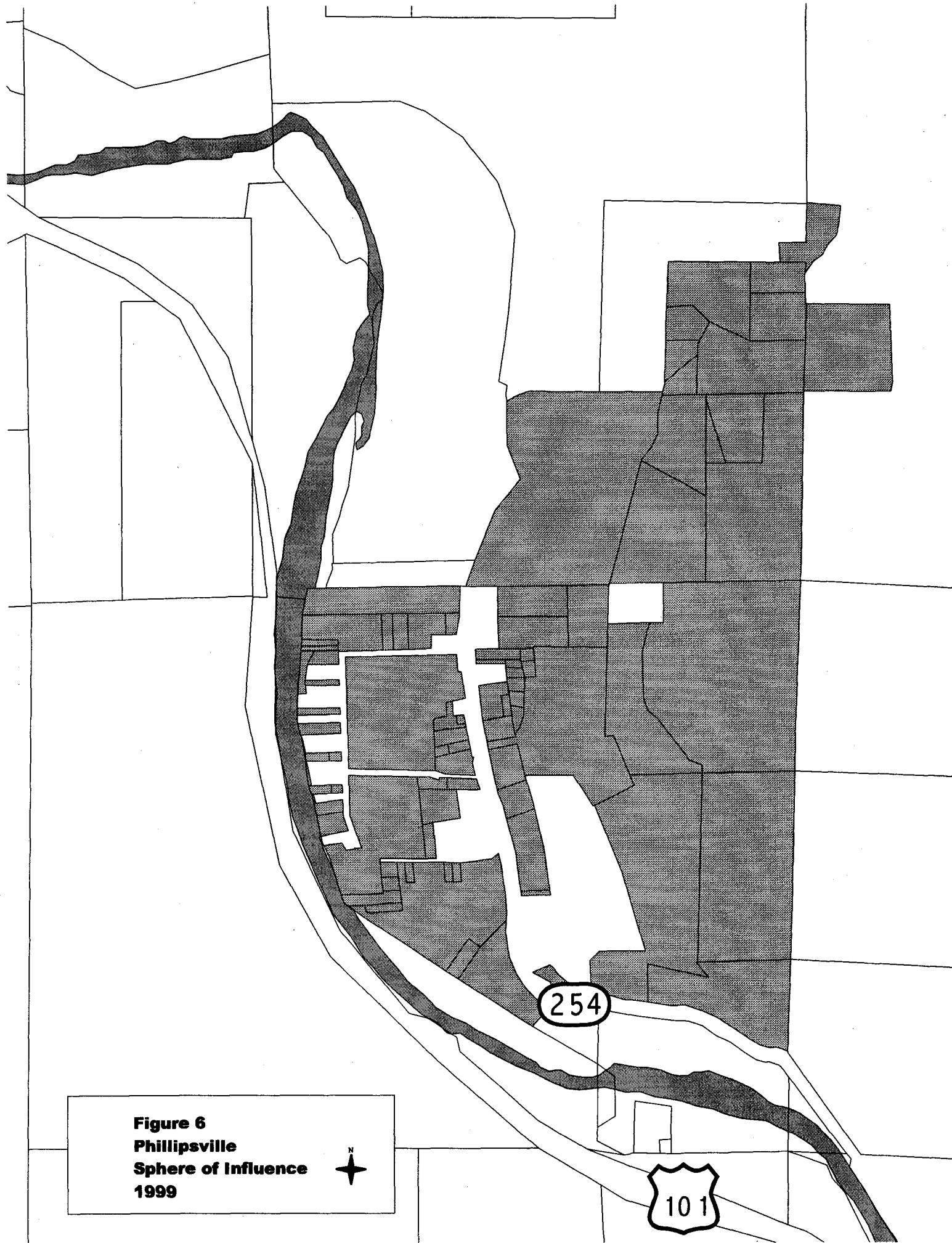
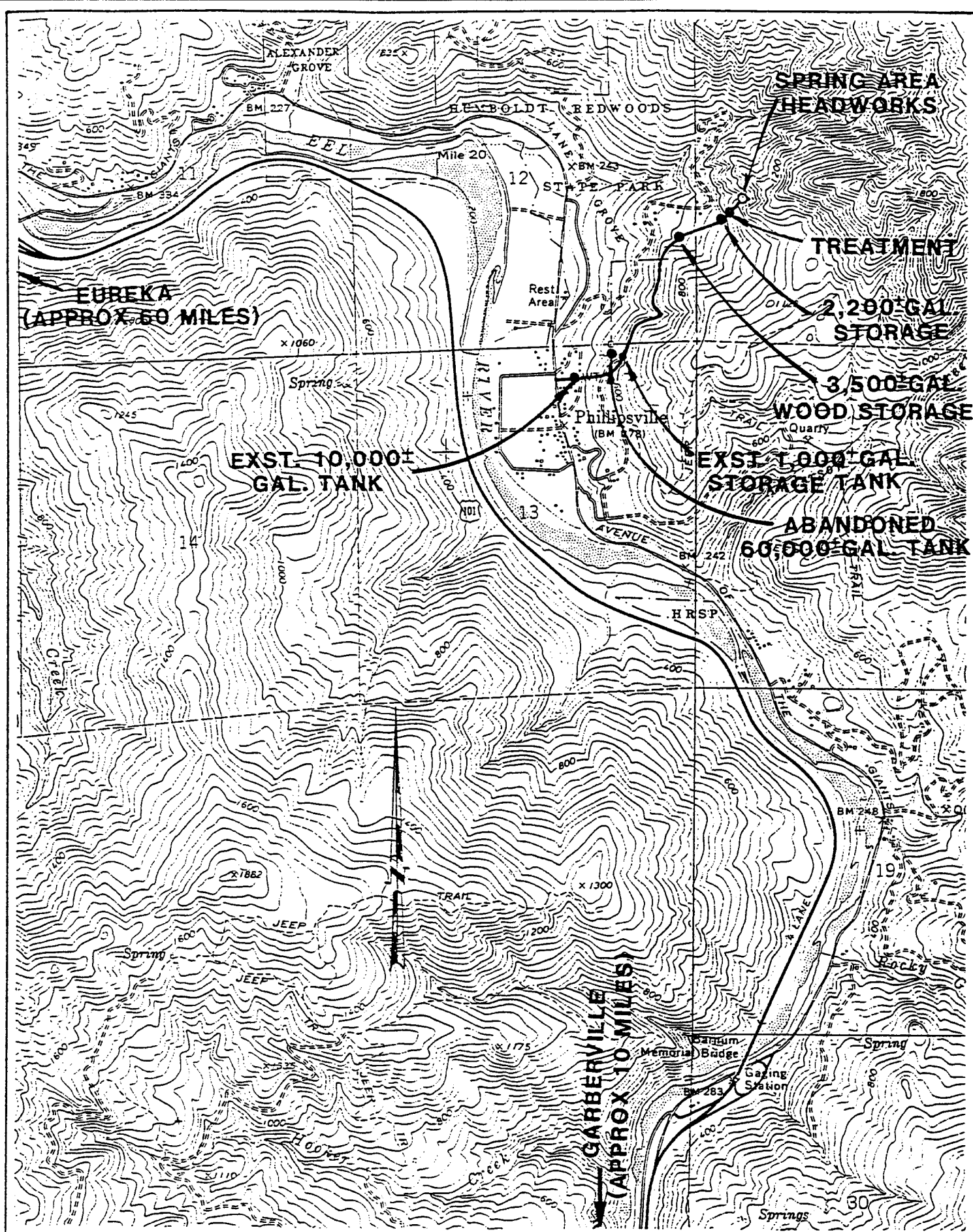


Figure 6
Phillippsville
Sphere of Influence
1999





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**PHILLIPSVILLE WATER SYSTEM
SYSTEM LOCATION
& LAYOUT MAP**

**FIGURE
7**

