



## **BOARD MEETING AGENDA SUBMITTAL**

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**TO:** GCSB Board of Directors

**FROM:** Pete Kampa, General Manager

**DATE:** March 9, 2021

**SUBJECT:** Agenda Item 6A. Consideration and Board Direction Regarding the District's Position on Requiring Annexation of the Long Gulch Development Project and Related Connection to the District Water and/or Sewer Systems

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### **RECOMMENDED ACTION:**

Provide direction to staff regarding whether our current response to the Long Gulch application is supported by the Board, should be modified, or rescinded.

### **BACKGROUND:**

The district is authorized by LAFCO to provide water, sewer, fire and park services within our established boundaries and to adopt rules and regulations related to access and use of those services. Our ordinances, policies and regulations can only apply to those properties located within our boundaries and to those properties outside of our boundaries authorized by LAFCO to receive services from the district. Also, any properties located outside of our boundaries are required to go through the annexation process through LAFCO to receive our services. Typically we cannot require annexation of a property if they are not requesting service and their project meets the development requirements of the County.

When the County receives an application for a subdivision of land or other projects that may affect our services, we will receive a stakeholder notification early on in the County planning process. This notification occurs even when the project is located outside of the district boundaries but close enough to us that our services may be considered to be extended. The state and County land use policies and laws much prefer connection to public water systems over the creation up additional separate water providing entities. In fact the state water resources Control Board will require those that apply to create a new public water system to conduct engineering studies and seek feedback from adjacent public service providers to determine if service is available from existing systems, before they will approve a new system.

In addition, the County has experienced bouts of problems with individual groundwater wells occasionally during times of extended drought, which have resulted in the need to extend public watermains and connect properties to the public water system in lieu of their individual wells. That's not to say that individual wells cannot perform in providing water supply to an individual parcel. However, when multiple parcels are proposed in a relatively confined area the cumulative affect of multiple groundwater wells drawing from potentially common bedrock fractures, is a major concern in our region of the state. Solid land use planning practices and the county's policies require that new development, such as land subdivisions located adjacent to public water systems

first evaluate the opportunity and feasibility of connection to the public system before proceeding with entitling the properties on individual private wells and septic systems.

Also, another anomaly we have seen with our services, is the demand for fire services increasing outside of the district boundaries as there is a lack of a County Fire station in the area to respond. For example if a residential subdivision is approved adjacent to the district boundaries, the district will be the first-in fire an emergency responder to these new parcels, without the ability to levy (property related) fees, charges, taxes, or receive any portion of the County wide property taxes to provide services to these properties.

In the case of the currently proposed 19 lot Long Gulch subdivision, as depicted in the county project documentation and on the site map included with this agenda item, the project is located directly adjacent to the district boundaries, within its sphere of influence, and adjacent to the water system of the district. In addition, the seven parcels of the Airport Estates subdivision are in the process of annexation into the District boundaries.

In February of 2020, the project developer had submitted an application to the County to create this subdivision and connect to the public water system of GCSD. Our response to that application is included with this agenda item. Recently the project developer submitted a revised application for the same subdivision, but proposing to not connect to the GCSD water system and receiving water instead from individual private wells. For our discussion and your decision today is direction on whether our response to the subdivision application as submitted last month is acceptable; which seeks that the county's approval of the subdivision be conditioned on the project applicant annexing to the district and extending public water service.

Public sewer service should also be evaluated based on the number of parcels and the soil conditions, in conjunction with potential land use plans of adjacent parcels. It certainly would not make land use planning sense to approve this subdivision with private septic systems, only to then approve additional adjacent development also on septic systems. A more troubling scenario would be future development on land adjacent to this project that required public sewer service due to the type and density of the development. This would result in a hop-scotch sewer/septic area. As is well known, the cost for sewer system construction is very expensive and is only cost effective when the benefiting number of parcels is large enough to appropriately spread the cost.

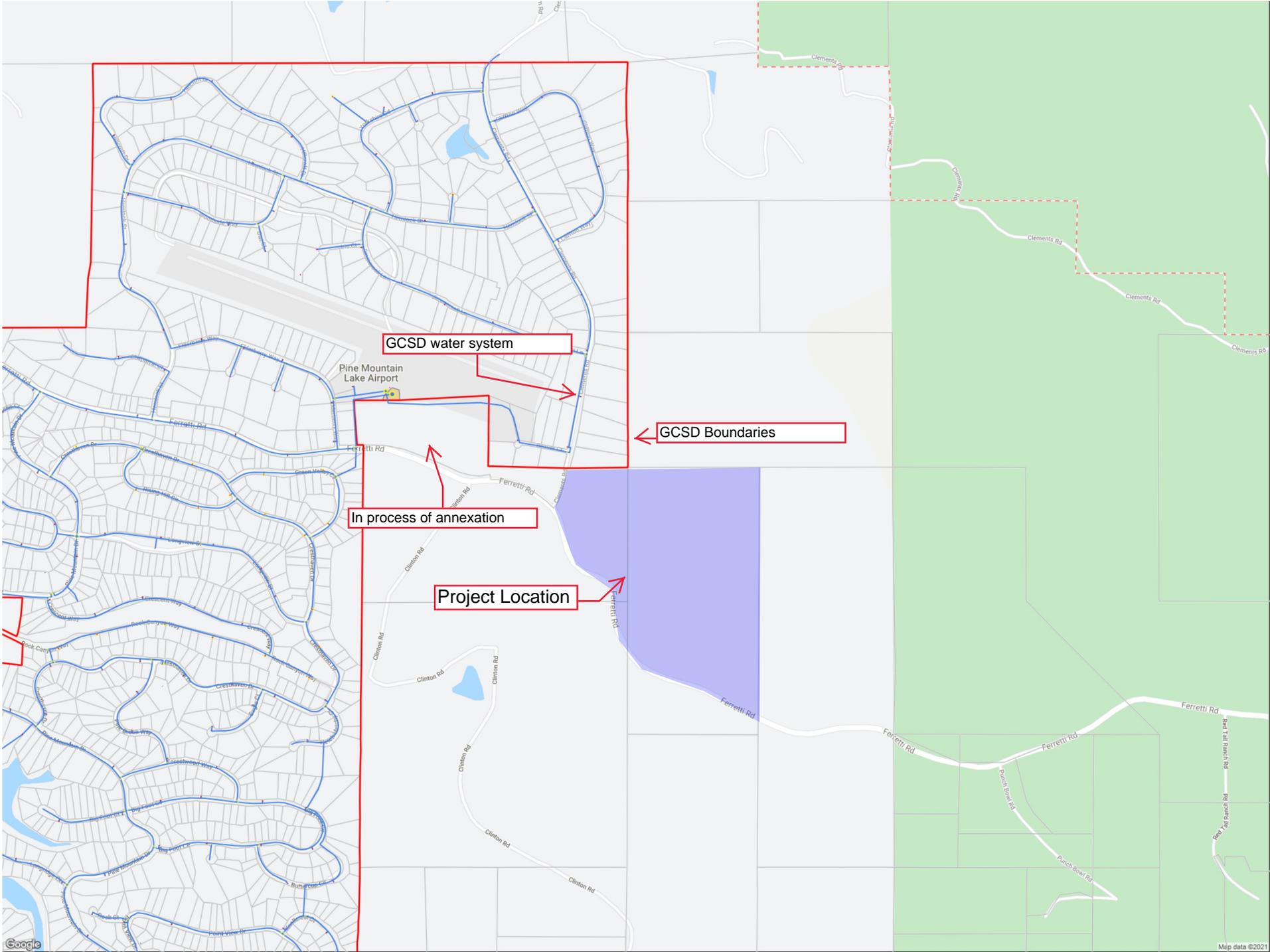
Obviously, the district has had enough discussion about providing fire services outside of its boundaries, that annexation of these parcels is a logical recommendation to the County. If the board agrees, we can either take a position in opposition of the project as planned, and/or strongly recommend that the County condition project approval on annexation of the properties.

**ATTACHMENTS:**

- County Stakeholder Notification and GCSD staff response from the initial application February 2020, and revised application February 2021
- Project Location and GCSD boundaries site map

**FINANCIAL IMPACT:**

There is no fiscal impact to GCSD associated with this Board action.



GCSD water system

Pine Mountain Lake Airport

GCSD Boundaries

In process of annexation

Project Location



# COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP  
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

Date: February 4, 2021  
To: Interested Stakeholder  
From: Tuolumne County Community Development Department  
RE: REVISED APPLICATION  
Long Gulch Ranch General Plan Amendment GPA20-001, Zone Change RZ20-002,  
and Tentative Subdivision Map TSM20-002  
Assessor's Parcel Number: 066-160-085

48 Yaney Avenue, Sonora  
Mailing: 2 S. Green Street  
Sonora, CA 95370  
(209) 533-5633  
(209) 533-5616 (Fax)  
(209) 533-5909 (Fax – EHD)  
www.tuolumnecounty.ca.gov

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

We have received a **revised** application from Long Gulch Ranch for the following:

1. General Plan Amendment GPA20-001 to change the General Plan land use designation of a 78.8± acre parcel from RR (Rural Residential) to HR (Homestead Residential).
2. Zone Change RZ20-002 to rezone a 78.8± acre parcel from AE-37:AIR (Exclusive Agricultural, Thirty-Seven Acre Minimum: Airport Combining) to RE-3:AIR (Residential Estate, Three Acre Minimum: Airport Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Tentative Subdivision Map TSM20-002 to divide a 78.8± acre parcel into 19 residential lots ranging in size from 3.0± acres to 12.5± acres.

**Location:** The project site is located east of the intersection of Ferretti Road and Clements Road in the community of Groveland. The project site is within a portion of Section 13, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Number 066-160-085.

**Access:** Ferretti Road and Clements Road

**Sewage Disposal Method:** Private Sewage Disposal System

**Water Source:** **Private Wells**

**Fire Hazard Rating:** Very High

**Additional Information:**

1. The original Stakeholder Notification sent on February 26, 2020 indicated that the project would connect to GCSO for public water. The application has been revised to include the provision for on-site wells as the water supply. Sewage disposal will

be provided via private sewage disposal system, as was indicated on the initial Stakeholder Notification letter.

2. Proposed Lots 1 through 11 will be access via Ferretti Road and Clements Road and proposed Lots 12 through 19 will be accessed via a new internal road.

Please return your comments by Friday, February 26, 2021. Please note that email is the preferred method of communication due to staff working remote.

Staff Contact: Natalie Rizzi  
(209) 533-5936; [nrizzi@co.tuolumne.ca.us](mailto:nrizzi@co.tuolumne.ca.us)

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AGENCY: Groveland Community Services District

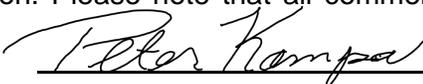
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COMMENTS: \_\_\_\_\_

The comments submitted by the Groveland Community Services District (GCSD) on this project's prior application dated 3/11/2020, attached, are still applicable to this revised application. There does not appear to have been any changes to the project, other than to propose the use of private wells versus connection to the District system. Although the project is not within the GCSD boundaries, it is within its Sphere of Influence and located directly adjacent to the existing GCSD water system and boundaries; therefore connection should be required as a condition of approval of the project. From the perspective of fire protection services provided by GCSD, the project is located in the response area of the Tuolumne County Fire Department, but the GCSD fire department will be the closest available resource to the project and expected to respond to calls at its location. As the closest emergency response agency with resources to respond to the project location, annexation to the GCSD boundaries is responsible planning. It is also critically important that the newly created parcels be served by a system of fire hydrants, which can only be reasonably accomplished by connection to the GCSD public water system.

It is recommended that the project applicant prepare and submit a GCSD service application to determine water and/or sewer service feasibility and identify any main extensions or construction required for the purpose of evaluation in the CEQA process.

All property owners within 1000 feet of the proposed project and agencies/organizations will be notified of future public hearings. Property owners do not need to request future notification. Please note that all comments received are included in the public record for the project.

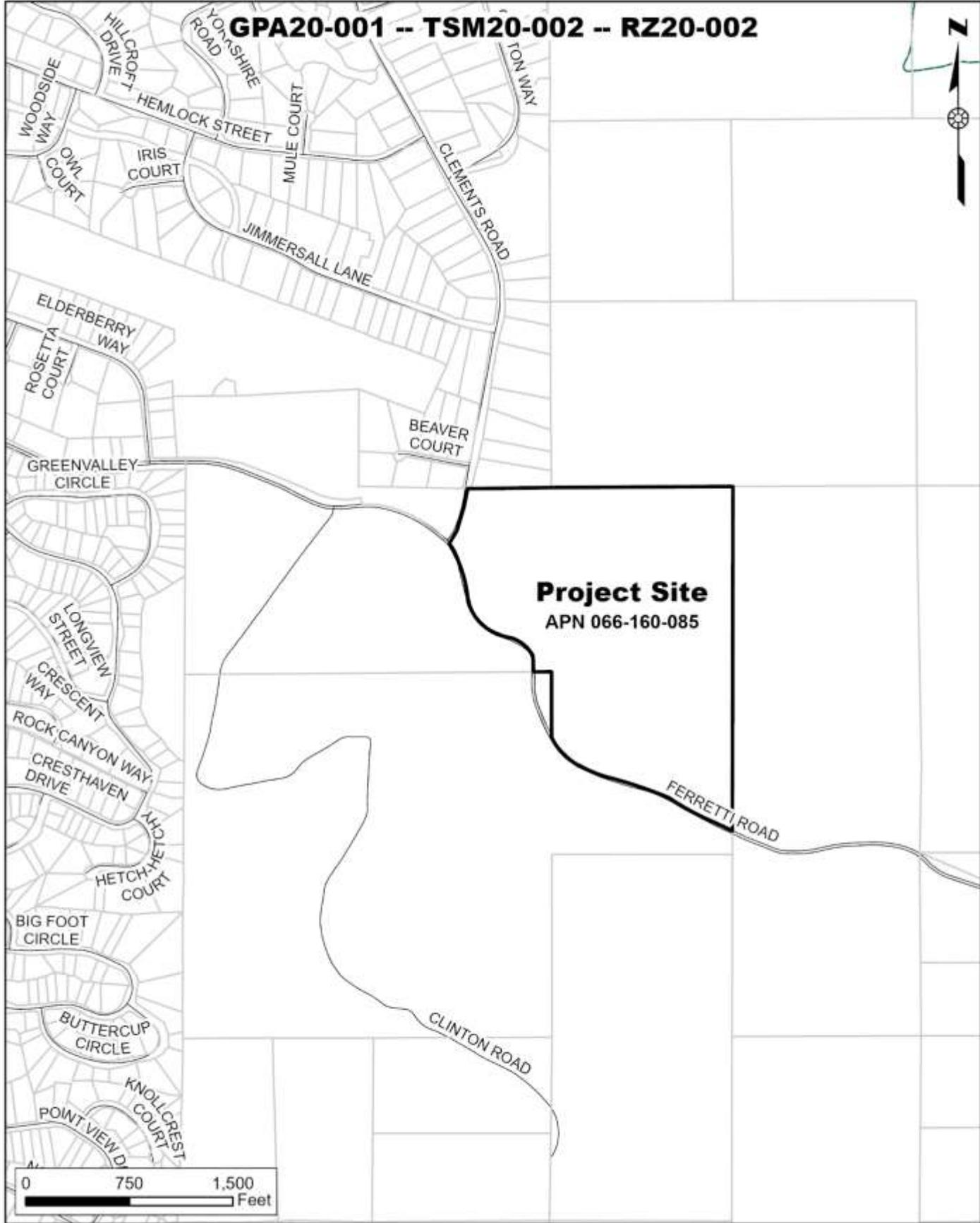
  
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Signed by:

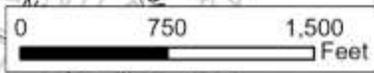
Agency: Groveland Community Services District

Date: 2-26-2021

**GPA20-001 -- TSM20-002 -- RZ20-002**

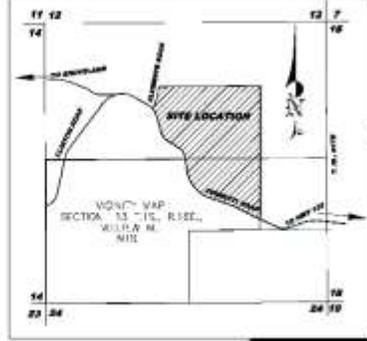


**Project Site**  
APN 066-160-085



NOTES:  
 1. APN 066-150-065  
 2. LEGAL DESCRIPTION: PARCEL 3 OF PM 59-32  
 3. OWNER: LONG GULCH RANCH ATTN: BRIAN FITZGERALD  
 4830 DALEWOOD DR  
 EL DORADO HILLS CA 95762  
 4. ZONING: GENERAL PLAN  
 COUNCIL: 2021/01/27  
 PROPOSED: REZONED: HR  
 5. WATER: WELLS, SEWER: SEPTIC  
 6. SCHOOL DISTRICT: BOFOLSO

REVISED 01/27/2021

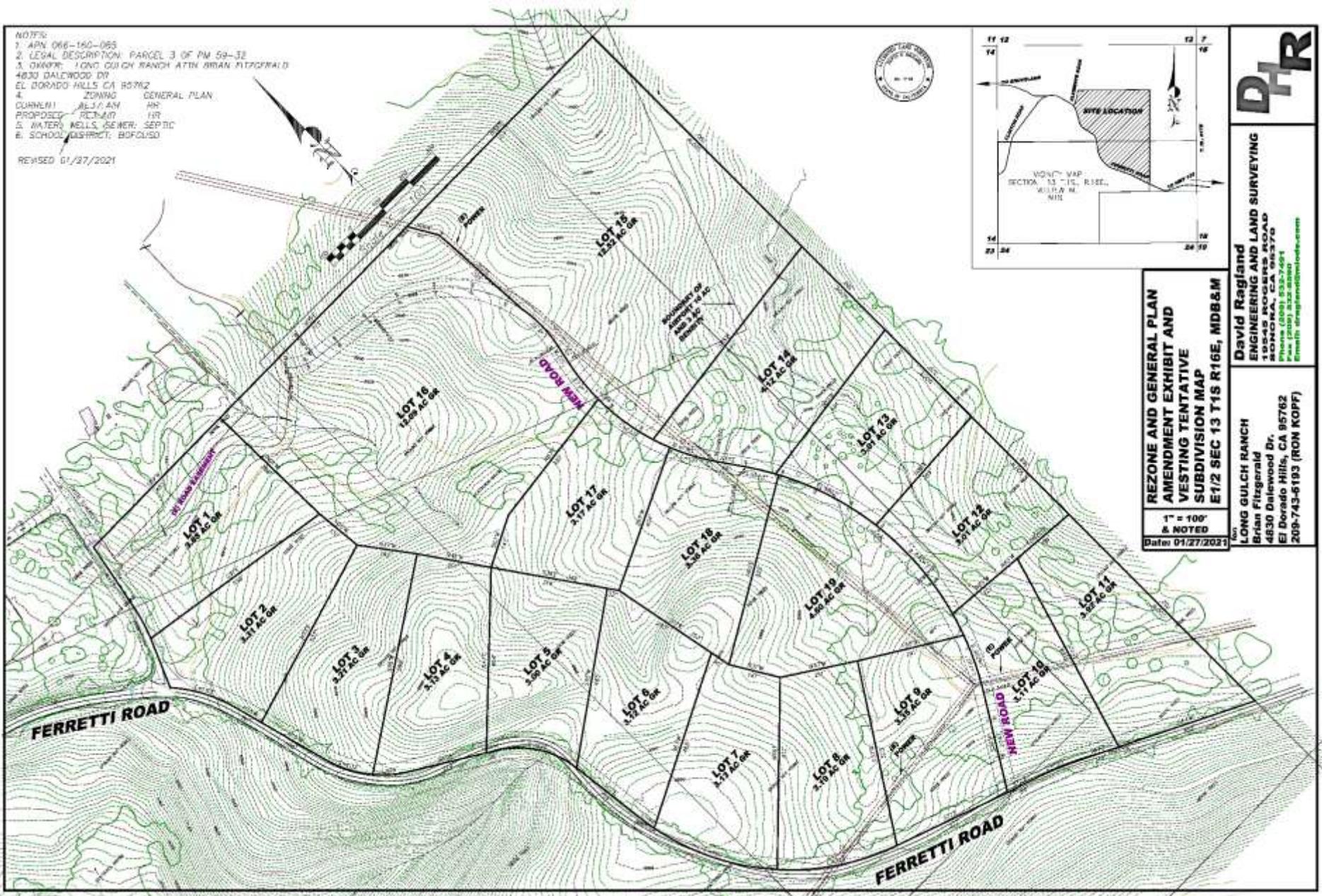


**David Ragland**  
 ENGINEERING AND LAND SURVEYING  
 10000 WOODLAND ROAD  
 ROCKY HILL, CALIFORNIA, CA 95770  
 Phone: (916) 933-7491  
 Fax: (916) 933-7492  
 Website: davidragland.com

**REZONE AND GENERAL PLAN  
 AMENDMENT EXHIBIT AND  
 VESTING TENTATIVE  
 SUBDIVISION MAP**  
 E1/2 SEC 13 T1S R16E, MDB&M

1" = 100'  
 & NOTED  
 Date: 01/27/2021

FOR  
**LONG GULCH RANCH**  
 Brian Fitzgerald  
 4830 Dalewood Dr.  
 El Dorado Hills, CA 95762  
 209-743-6193 (RON KOPF)





# COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP  
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

RECEIVED  
MAR 09 2020

48 Yaney Avenue, Sonora  
Mailing: 2 S. Green Street  
Sonora, CA 9537  
(209) 533-563  
(209) 533-5616 (Fax)  
(209) 533-5909 (Fax – EHI)  
www.tuolumnecounty.ca.gov

Date: February 26, 2020  
To: Interested Stakeholder  
From: Tuolumne County Community Development Department  
RE: Long Gulch Ranch General Plan Amendment GPA20-001, Zone Change RZ20-002,  
and Tentative Subdivision Map TSM20-002  
Assessor's Parcel Number: 066-160-085

BY: .....

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

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3. Tentative Subdivision Map TSM20-002 to divide a 78.8± acre parcel into 19 residential lots ranging in size from 3.0± acres to 12.5± acres.

**This project is being processed under California Senate Bill 330 (SB 330). For more information on SB 330 and vesting opportunities, please visit the following link:**  
[https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200SB330](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330)

**LOCATION:** The project site is located southeast of the intersection of Ferretti Road and Clements Road, in the community of Groveland. The project site is within a portion of Section 13, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Number 066-160-085.

Access: Ferretti Road and Clements Road Cul-de-Sac: No

Sewage Disposal Method: Private Sewage Disposal System

Water Source: GCSD Fire Hazard Rating: Very High

Additional Information:

1. Proposed Lots 1 through 11 will be access via Ferretti Road and Clements Road and proposed Lots 12 through 19 will be accessed via a new internal road.

2. The project is proposed to be served via public water and private sewage disposal systems.

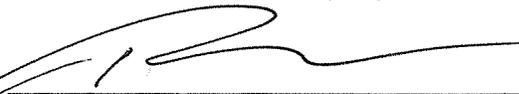
In accordance with Section 15063(g) and 15044 of the "State EIR Guidelines" as adopted by Tuolumne County, we are offering you the opportunity to comment this project. Please complete the following and return no later than **Monday, March 23, 2019**.

Staff Contact: Natalie Rizzi  
(209) 533-5936  
nrizzi@co.tuolumne.ca.us

AGENCY: Groveland Community Services District

COMMENTS: GCS D is the provider of water, sewer, fire and park services for the projected development plan. Prior to service being approved by the District, the applicant will be required to submit an application for service/main extensions and if service is determined feasible, enter into a services agreement(s) which must be approved by the District Board of Directors. The District will require annexation of the property to receive services, therefore the applicant will need to enter into an annexation agreement with the District prior to a commitment of services to the project. The agreements with the District will specify the terms and conditions of infrastructure extensions and administrative requirements for services provided by the District. For the District to enter into annexation and infrastructure agreements, the environmental document must evaluate any and all impacts to the services provided by the District, including water, sewer, fire protection/emergency response and parks. The District adopts improvement standards which shall be considered in the county's evaluation of the project and to which improvements are to be completed and service impacts mitigated by the applicant. The project approval conditions must require compliance with all district standards, ordinances and policies with regards to the provisions of services to the project. We look forward to participating in the process and request notice of hearings and copies of all environmental documents, permits and related agreements.

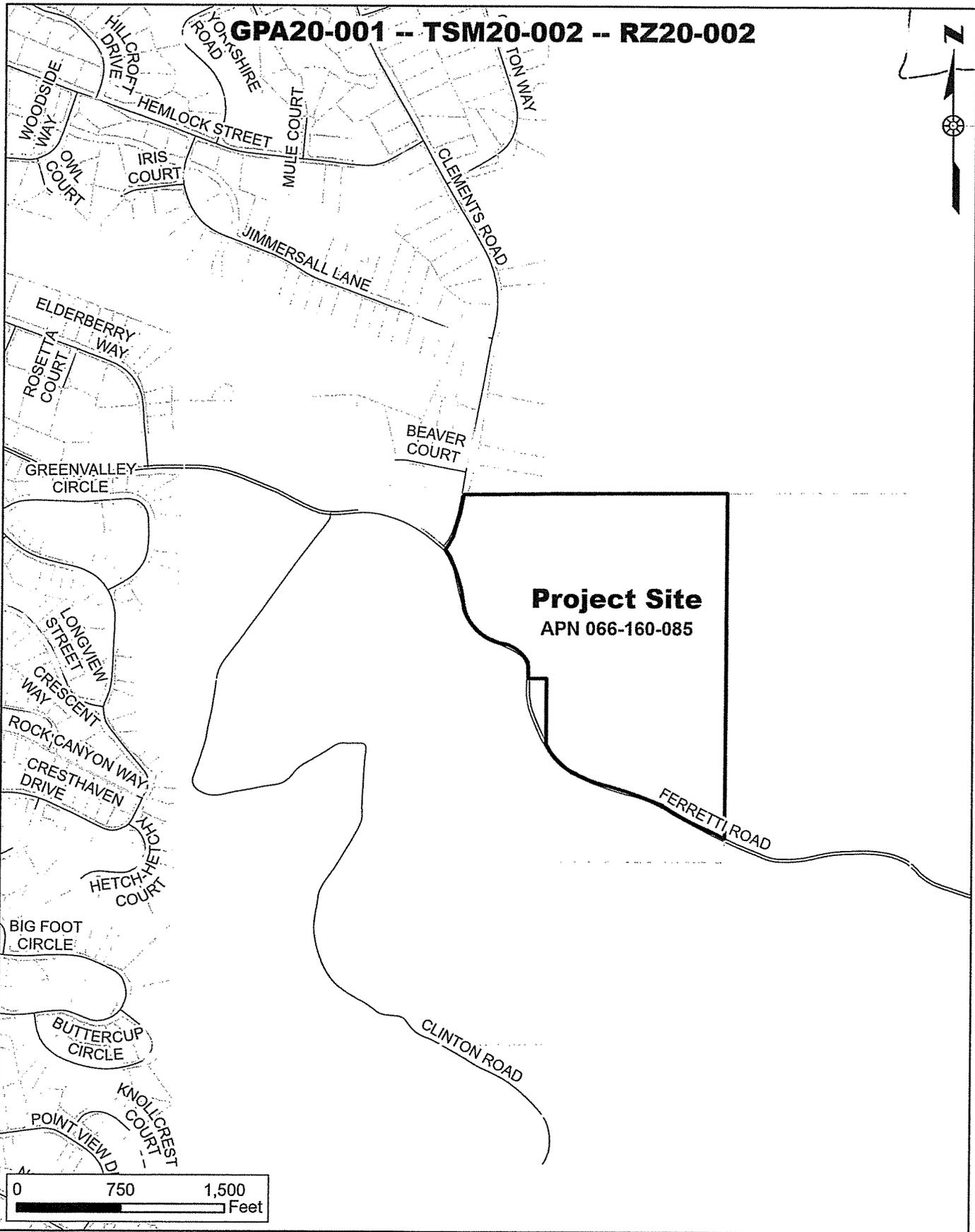
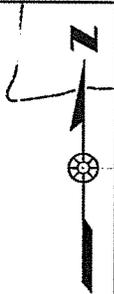
All property owners within 1000 feet of the proposed project and agencies/organizations will be notified of future public hearings. Property owners do not need to request future notification.

Signed by: 

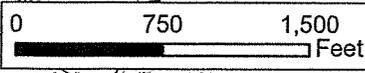
Agency: Groveland Community Services District

Date: 3/11/2020

**GPA20-001 -- TSM20-002 -- RZ20-002**



**Project Site**  
APN 066-160-085



**GPA20-001 -- TSM20-002 -- RZ20-002**

