



STAFF REPORT

Meeting Date: April 21, 2004

Agenda Item 7

**LAFCO CASE
NAME & NO.**

LAFCO 04-04 Oxnard Drainage District No. 1 Detachment -
Seabridge

PROPOSAL:

The proposal is for the detachment of territory from Oxnard
Drainage District No. 1 as the District's services are no longer
necessary due to the pending development of the proposal area.

SIZE:

Approximately 139 acres

LOCATION:

The proposal area is generally located westerly of S. Victoria
Avenue between W. Wooley Road and W. Hemlock Street.

ASSESSOR'S PARCEL INFORMATION:

The proposal area includes the following Assessor's Parcels:
188-0-110-145, - 265, - 495, -505

PROPONENT:

Oxnard Drainage District No. 1, by Resolution

NOTICE:

This matter has been noticed as required by law.

RECOMMENDATIONS:

1. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by Ventura LAFCO as lead agency, dated April 21, 2004, and approve the determination that the proposal is exempt under Sections 15301 and 15304 of the CEQA Guidelines.
2. Adopt the attached resolution (LAFCO 04-04) making determinations and approving the Oxnard Drainage District No. 1 Detachment - Seabridge.

COMMISSIONERS AND STAFF

COUNTY:

Kathy Long
Linda Parks
Alternate:
Steve Bennett

CITY:

Evaristo Barajas, Chair
Don Waunch
Alternate:
John Zaragoza

SPECIAL DISTRICT:

Jack Curtis, Vice Chair
Dick Richardson
Alternate:
Ted Grandsen

PUBLIC:

Louis Cunningham
Alternate:
Kenneth M. Hess

EXECUTIVE OFFICER:

Everett Millais

LAFCO ANALYST:

Hollee Brunsky

OFFICE MANAGER/CLERK:

Debbie Schubert

LEGAL COUNSEL:

Noel Klebaum

GENERAL ANALYSIS:

1. Land Use:

A. Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Historically almost all of the site was used for agriculture. There is a small Southern California Edison sub-station near the northwesterly corner of the intersection of S. Victoria Avenue and W. Hemlock Street. Development plans have been approved by the City of Oxnard and the site is being developed for a mixed use, water-oriented project.	County: NA City: CPC (Coastal Planned Community), which permits: R-W-1 (single family water oriented); R-W-2 (townhouse water oriented); R-2-C (coastal multi-family); R-3-C (coastal medium density multi-family); CNC (coastal neighborhood commercial); CVC (coastal visitor-serving commercial); RC (coastal recreation)	County: Existing Community/ Urban Reserve Overlay City: Low-Medium Density Residential & Visitor serving Commercial; Mandalay Bay Specific Plan – Residential and Mixed Use.

	Land Use	Zone District Classification	General Plan Designation
Proposed	A mixed-use project consisting of 278 single family homes, 432 condominiums, 189,000 sq. ft. of retail space, 16.5 acres of park area, 32.3 acres of new inland waterways, two public marina areas, and up to 503 boat slips The Edison sub-station will remain.	No Change	No Change

B. Surrounding Land Uses and Zoning and General Plan Designations

	Land Use	Zone District Classification	General Plan Designation
North	Agriculture	County: AE (Agricultural Exclusive)	County: Agricultural
South	Low-medium density residential	City: R-W-1 (single family water oriented)	City: Low-medium density residential
East	Residential and neighborhood commercial	City: R-1-PD (single family planned development); R-3-PD (multi-family planned development); C-2-PC (planned commercial)	City: Low and Medium density Residential; Commercial
West	Residential and visitor serving commercial, under construction	City: CPC (Coastal Planned Community), including: R-W-1 (single family water oriented); R-W-2 (townhouse water oriented)	City: Low and Medium density Residential; Visitor Serving Commercial

C. Topography, Natural Features and Drainage

The area is nearly level, draining southwesterly towards Channel Islands Harbor. There are no special or unique natural features in the proposal area.

D. Conformity with Plans

The proposal area is entirely within the City of Oxnard. The City has approved a specific plan for the development of the affected territory and adjacent areas, and has approved a Coastal Development Permit, Tentative Tract Map and a Development Agreement, consistent with the specific plan. The proposed Detachment is consistent with the City of Oxnard plans for the proposal area as the area will no longer be used for agricultural use and will have no need for sub-surface drainage facilities provided by the District for agricultural use.

The area is located within the SOAR and CURB boundaries for the City of Oxnard.

2. Impact on Prime Agricultural Land, Agriculture and Open Space:

A. Agricultural Land and Agriculture

Most of the proposal area, except for streets and the Edison sub-station, was used for agriculture and is shown as "Farmland of Statewide Importance" on the State Department of Conservation Important Farmlands Inventory (IFI) maps compiled pursuant to Government Code Section 65570. The proposal area is considered to be prime agricultural land as defined in Government Code Section 56064 as the soils on site are Class I and Class II and have a Storie Index greater than 80.

The site is not under a Williamson Land Conservation Act contract.

The loss of agriculture land was addressed in the City of Oxnard's environmental determinations for the Mandalay Bay Specific Plan and subsequent development approvals. The proposed Detachment is a different project for CEQA purposes. The loss of agricultural land in the proposal area will occur whether or not the affected territory is detached from the Oxnard Drainage District No 1.

B. Open Space

The proposal area is not considered open space or located within a greenbelt.

3. Population:

There are no registered voters residing with the proposal area and, thus, for LAFCO purposes the area is considered as uninhabited.

4. Services and Controls – Need, Cost, Adequacy and Availability:

Oxnard Drainage District No. 1 provides a system of sub-surface drainage for agricultural properties with its boundaries. Upon detachment, the District will no longer provide these services. Urban storm water drains related to the new urban land uses that have been approved by the City of Oxnard are replacing the sub-surface agricultural drains. Thus, the services provided by the District and any related costs for those services are no longer necessary.

5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

Maps sufficient for filing with the State Board of Equalization have been received from the proponent.

6. Assessed Value, Tax Rates and Indebtedness:

The assessed land value of each parcel per the 2003-2004 tax roll is:

<u>Parcel No.</u>	<u>Assessed Land Value</u>
188-0-110-145	\$471,509
188-0-110-495	\$626,528
188-0-110-505	\$20,474,216
188-0-110-265	\$0

The proposal area is currently within tax rate areas 03078 and 03081. The County Assessor has indicated that upon the completion of the proposed detachment, the properties in the area will be assigned to tax rate areas 03286 and 03287. Both the existing tax rate areas and the future tax rate areas have a tax rate of 1.203837. Thus, no changes to property taxes will result from this proposal.

All costs of removing or modifying existing infrastructure owned by Oxnard Drainage District No. 1 will be borne by the property owners.

7. Environmental Impact of the Proposal:

The Oxnard Drainage District No. 1 found the proposal to be categorically exempt under Section 15320 (changes of organization of local agencies) of the California Environmental Quality Act Guidelines. This exemption category is inappropriate for this type of proposal. The CEQA Guidelines state that this class of exemption only applies, "...where the changes do not change the geographical area in which previously existing powers are exercised."

Since the entire purpose of this proposal is to change the geographic boundaries of Oxnard Drainage District No. 1, and because the categorical exemption filed by the District does not apply to this proposal, it is recommended that the Commission assume lead agency status and determine that the proposal is categorically exempt under all or part of Sections 15301 (existing facilities) and 15304 (minor alterations of land) of the CEQA Guidelines.

8. Regional Housing Needs

The proposal is for a Detachment from a Drainage District. Special Districts have no direct role in regional housing needs. Regional housing needs are a part of the General Plan Housing Elements of the County and each city. This proposal will have no effect on the fair share of the regional housing needs for the City of Oxnard.

9. Landowner and Annexing Agency Consent

Oxnard Drainage District No. 1 has provided proof that all landowners have given their written consent to this proposal. The District is the only agency affected by this proposal. Accordingly the District has requested that the Commission waive all protest proceedings.

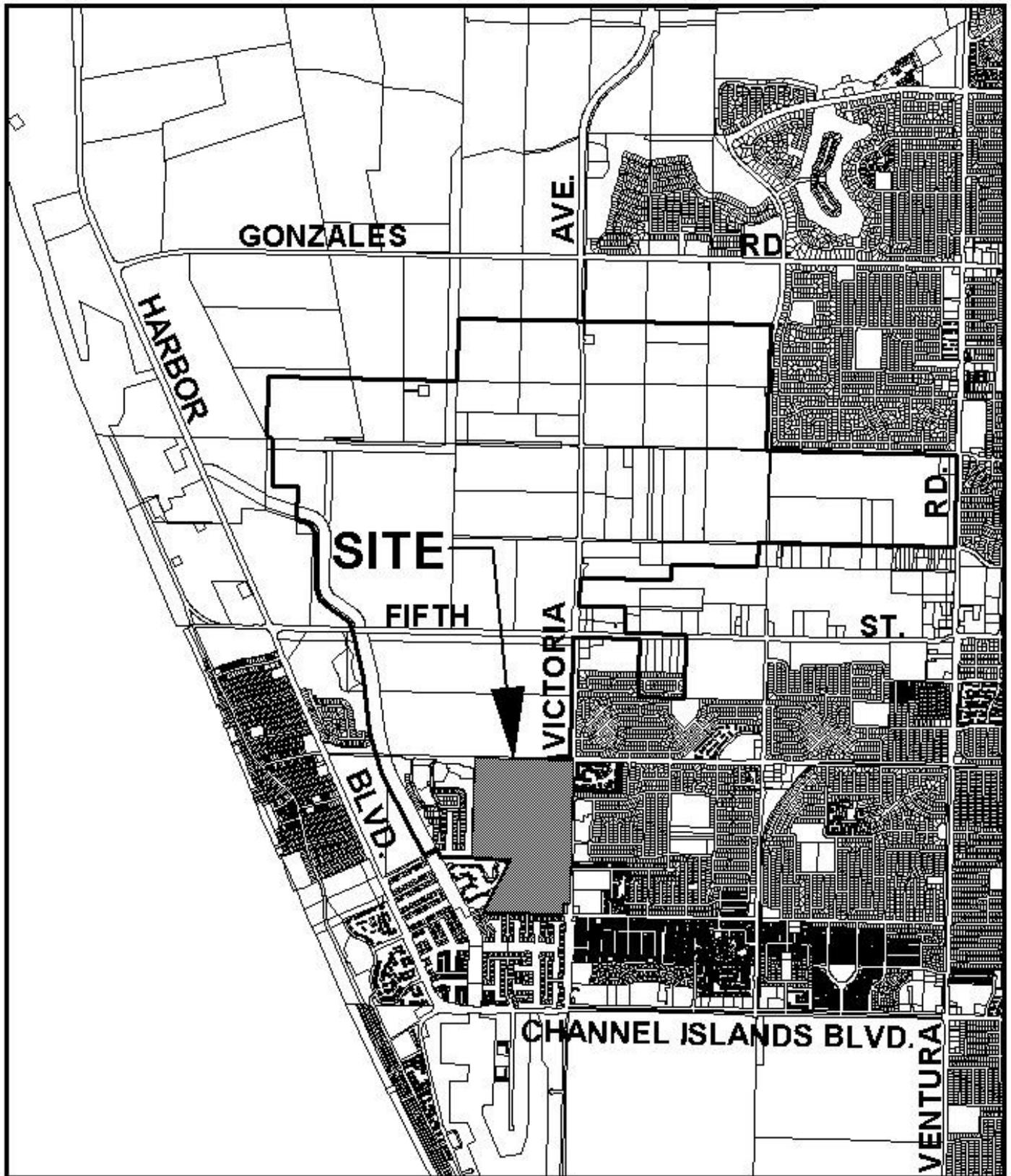
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and the review of the materials submitted, determines that the boundaries of the proposal area should be modified, or that the proposal should be approved subject to any changes or additions to the terms and conditions recommended, a motion to approve should clearly specify any boundary changes and/or any changes or additions to the terms and conditions of approval.
- C. If the Commission, following public testimony and review of materials submitted with this application wishes to deny this proposal, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

PREPARED FOR THE COMMISSION BY:

Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
 (2) LAFCO 04-04 Resolution



LEGEND

-  Existing Oxnard Drainage District Boundary
-  Proposed Detachment Area

LAFCO 04-04

VICINITY MAP

OXNARD DRAINAGE DISTRICT DETACHMENT
SEABRIDGE



1" = 3000'

LAFCO 04-04

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE OXNARD DRAINAGE DISTRICT NO. 1 DETACHMENT - SEABRIDGE

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the proposal required by law; and

WHEREAS, the proposal was duly considered on April 21, 2004, and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCO Executive Officer's Staff Report and recommendation, the environmental document or determination, Sphere of Influence, and applicable General and Specific Plans; and

WHEREAS, proof has been given to the Commission that all landowners within the affected territory have consented to the proposal; and

WHEREAS, proof has been given to the Commission that the affected territory has less than 12 registered voters and is considered uninhabited; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners within the Oxnard Drainage District No. 1 and within the affected territory, and the organization of local governmental agencies within Ventura County.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Ventura County as follows:

- (1) The LAFCO Executive Officer's Staff Report and Recommendation for approval of the proposal dated April 21, 2004 is adopted.
- (2) Said detachment is hereby approved as submitted.
- (3) The subject proposal is assigned the following distinctive short form designation: **LAFCO 04-04 OXNARD DRAINAGE DISTRICT NO. 1 DETACHMENT – SEABRIDGE.**

- (4) The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A attached hereto and made a part hereof.
- (5) The Commission hereby determines that the proposal is categorically exempt under Sections 15301 and 15304 of the CEQA Guidelines and directs staff to file a Notice of Exemption as a lead agency under Section 15062 of the CEQA Guidelines.
- (6) The Commission hereby waives protest proceedings entirely.

This resolution was adopted on April 21, 2004.

AYES:

NOES:

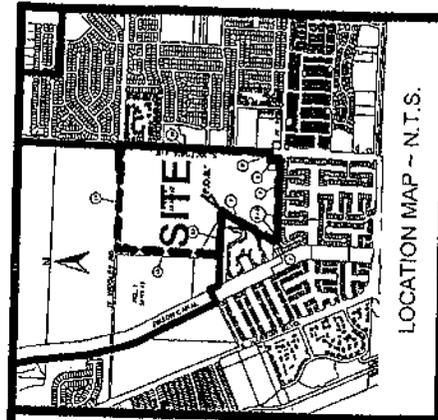
ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: Oxnard Drainage District No. 1
City of Oxnard
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning

EXHIBIT A

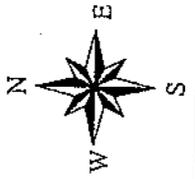
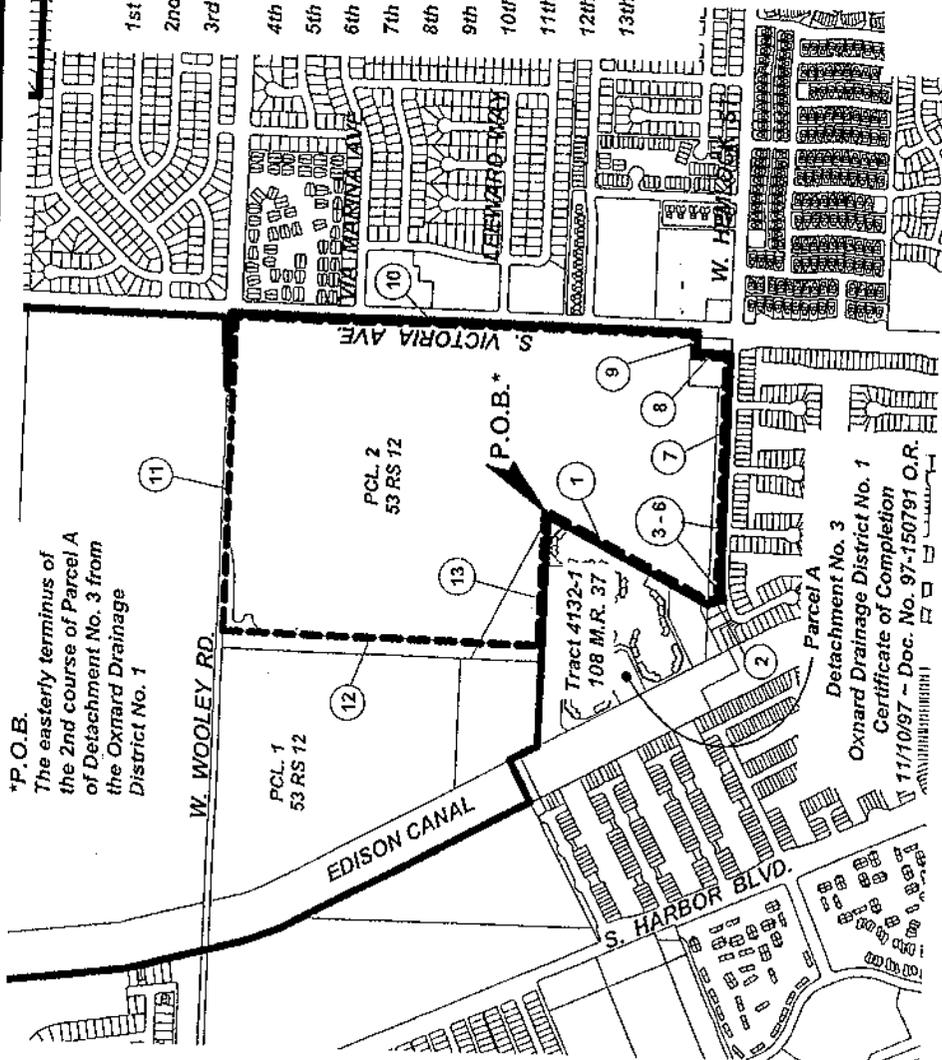
04-04



PREPARED BY:
BRAITMAN & ASSOCIATES
 8277 CHESHIRE STREET
 VENTURA, CA 93004
 (805) 647-7612

COURSES	
1st - S 26°02'07" W	1190.16'
2nd - S 18°17'05" E	111.61'
3rd - R = 544.07'; L = 173.78'; D = 18°18'03"	
RAD = N 16°17'05" W	
4th - S 89°59'02" E	195.50'
5th - R = 401.00'; L = 40.07'; D = 5°43'30"	
6th - R = 401.00'; L = 40.07'; D = 5°43'30"	
7th - N 89°59'02" E	1146.30'
8th - N 00°00'10" W	270.00'
9th - S 89°59'02" E	134.00'
10th - N 00°00'10" W	2971.65'
11th - N 89°59'40" W	2074.66'
12th - S 00°00'20" W	2097.60'
13th - S 89°57'40" E	835.74'

139.00 ACRES



**OXNARD DRAINAGE DISTRICT NO. 1 DETACHMENT
 SEABRIDGE**

EXISTING OXNARD DRAINAGE DISTRICT NO. 1 BOUNDARY
 PROPOSED DETACHMENT BOUNDARY



Portions of Lots 66, 67, 73 and 74, of the Patterson Ranch Subdivision and a portion of Victoria Avenue, in the City of Oxnard, County of Ventura, State of California, as said lots are shown on the map recorded in the office of the County Recorder of said County in Book 8, Page 1 of Miscellaneous Records.

January 13, 2003 ~ Revised 1/14/03

EXHIBIT A

**OXNARD DRAINAGE DISTRICT NO. 1 DETACHMENT
SEABRIDGE**

04-04

Portions of Lots 66, 67, 73 and 74, of the Patterson Ranch Subdivision and a portion of Victoria Avenue, in the City of Oxnard, County of Ventura, State of California, as said lots are shown on the map recorded in the office of the County Recorder of said County in Book 8, Page 1 of Miscellaneous Records, described as follows:

Beginning at the most easterly corner of Tract 4132-1 as shown on the map recorded in the office of said County Recorder in Book 108, Page 37 of Miscellaneous Records, said corner being the easterly terminus of the 2nd course of Parcel A of Detachment No. 3 from the Oxnard Drainage District No. 1 as shown and described in the Certificate of Completion recorded in the office of said County Recorder on November 10, 1997 as Document No. 97-150791 of Official Records; thence, along the boundary of said Tract 4132-1 by the following two courses: and along the existing boundary of said Oxnard Drainage District No. 1 by the following ten courses:

- 1st - South $26^{\circ}02'07''$ West 1190.16 feet; thence,
- 2nd - South $18^{\circ}17'05''$ East 111.61 feet to a point in the northerly line of West Hemlock Street, said point being in a curve concaved southerly, having a radius of 544.07 feet, and having a radial to said point that bears North $18^{\circ}17'05''$ West; thence, along said northerly line by the following five courses:
- 3rd - Easterly along said curve 173.78 feet through a central angle of $18^{\circ}18'03''$; thence,
- 4th - South $89^{\circ}59'02''$ East 195.50 feet to the beginning of a curve concaved northerly and having a radius of 401.00 feet; thence, along said curve,
- 5th - Easterly 40.07 feet through a central angle of $5^{\circ}43'30''$ to a reverse curve concaved southerly and having a radius of 401.00 feet; thence, along said curve,
- 6th - Easterly 40.07 feet through a central angle of $5^{\circ}43'30''$; thence,
- 7th - North $89^{\circ}59'02''$ East 1146.30 feet; thence, leaving said northerly line of said West Hemlock Street and continuing along the existing boundary of said Oxnard Drainage District No. 1 by the following three courses:
- 8th - North $00^{\circ}00'10''$ West 270.00 feet; thence,
- 9th - South $89^{\circ}59'02''$ East 134.00 feet; thence,
- 10th - North $00^{\circ}00'10''$ West 2971.65 feet to the easterly prolongation of the southerly line of Wooley Road, 40.00 feet wide; thence, leaving the existing boundary of said Oxnard Drainage District No. 1 along said prolongation and southerly line,

- 11th - North $89^{\circ}59'40''$ West 2074.66 feet to the westerly line of Parcel 2 as shown on the Record of Survey map filed in the office of said County Recorder in Book 53, Page 12 of Records of Survey; thence, along the boundary of said Parcel 2 by the following two courses:
- 12th - South $00^{\circ}00'20''$ West 2097.60 feet to the northerly line of said Tract No. 4132-1, same being the existing boundary of said Oxnard Drainage District No. 1; thence, along said northerly line and existing boundary,
- 13th - South $89^{\circ}57'40''$ East 835.74 feet to the point of beginning and containing 139.00 acres.