



STAFF REPORT

Meeting Date: May 19, 2004

Agenda Item 10

**LAFCO CASE
NAME & NO.**

- A. LAFCO 04-05S Ojai Valley Sanitary District Sphere of Influence Amendment - Francis
- B. LAFCO 04-05 Ojai Valley Sanitary District Annexation – Francis (Parcels A and B)

PROPOSAL:

- A. LAFCO 04-05S Ojai Valley Sanitary District Sphere of Influence Amendment – Francis: To amend the Sphere of Influence of the Ojai Valley Sanitary District to provide for the same area to be annexed to the Ojai Valley Sanitary District. The Sphere of Influence Amendment consists of 3 lots and a portion of Creek Road and is generally depicted on the map labeled Parcel A.
- B. LAFCO 04-05 Ojai Valley Sanitary District Annexation – Francis: To annex 4 lots to the Ojai Valley Sanitary District for the purpose of providing sanitary sewer services to each lot. The map labeled Parcel A contains 3 of the subject lots and the map labeled Parcel B contains the remaining lot.

SIZE:

- A. LAFCO 04-05S Ojai Valley Sanitary District Sphere of Influence Amendment – Francis: Approximately 17.54 acres
- B. LAFCO 04-05 Ojai Valley Sanitary District Annexation – Francis: Approximately 18.02 acres total; Parcel A, consisting of 3 lots and a portion of Creek Road, is approximately 17.54 acres in area and Parcel B, consisting of 1 lot, is approximately .48 acres in area.

LOCATION:

Parcel A includes 3 lots located at 10901, 10981 and 11021 Creek Road. Parcel B is located at 2389 Burnham Road.

COMMISSIONERS AND STAFF

COUNTY: Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	CITY: Evaristo Barajas, Chair Don Waunch <i>Alternate:</i> John Zaragoza	SPECIAL DISTRICT: Jack Curtis, Vice Chair Dick Richardson <i>Alternate:</i> Ted Grandsen	PUBLIC: Louis Cunningham <i>Alternate:</i> Kenneth M. Hess
EXECUTIVE OFFICER: Everett Millais	LAFCO ANALYST: Holle Brunsky	OFFICE MANAGER/CLERK: Debbie Schubert	LEGAL COUNSEL: Noel Klebaum

Both Parcel A and Parcel B are located in the unincorporated area of Ventura County. They are not within the Sphere of Influence of any city, but are in the City of Ojai Area of Interest.

ASSESSOR’S PARCEL AND OWNERSHIP INFORMATION:

LAFCO Parcel	Assessor Parcel	Property Address	Property Owner
Parcel A – Sphere amendment & annexation	034-0-270-015	10901 Creek Road	Randy & Nora Davis
	034-0-020-105	10981 Creek Road	Rick & Sally Grant
	034-0-020-085	11021 Creek Road	Sue Francis & Cecil Baumgartner
Parcel B – annexation only	032-0-062-155	2389 Burnham Road	Richard & Judy Henderson

PROPONENT: Ojai Valley Sanitary District, by Resolution

NOTICE: The Sphere of Influence Amendment has been noticed as a PUBLIC HEARING as required by law.

RECOMMENDATIONS:

- A. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by the Ojai Valley Sanitary District as lead agency, dated April 6, 2004, and determine that both the Sphere of Influence Amendment and the Annexation proposals are exempt under Section 15319(a) of the CEQA Guidelines.
- B. Adopt the attached resolution (LAFCO 04-05S) making determinations and approving the Ojai Valley Sanitary District Sphere of Influence Amendment – Francis
- C. Adopt the attached resolution (LAFCO 04-05) making determinations and approving the Ojai Valley Sanitary District Annexation - Francis

GENERAL ANALYSIS:

1. Land Use:

A. Site Information

No land use, zoning or general plan changes will occur as a result of the proposals. Existing land use, County zoning and County general plan information for each of the subject lots is as follows:

Address Assessor Parcel	Land Use	Zone District Classification	General Plan Designation
10901 Creek Rd. 034-0-270--015	Pasture/ equestrian areas	OS-10ac (open space - 10 acre min. lot size)	Open Space
10981 Creek Rd. 034-0-020-105	Single family residence	RE-2ac (rural exclusive - 2 acre min. lot size)	Rural
11021 Creek Rd. 034-0-020-085	Single family residence	RE-2ac (rural exclusive - 2 acre min. lot size)	Rural
2389 Burnham Rd. 032-0-062-155	Single family residence	R-1-20 (single family residential – 20,000 sq. ft. min. lot size)	Existing Community

B. Surrounding Land Uses and Zoning and General Plan Designations

The surrounding land uses, zoning and general plan designations are similar to the land uses, zoning and general plan designations for each of the lots in the proposal area, and reflect the same open space, rural and existing community characteristics.

C. Topography, Natural Features and Drainage

The 3 lots that are part of Parcel A reflect typical, steep sided river basin characteristics and slope easterly to San Antonio Creek. Parcel B slopes easterly toward Burnham Rd. and the Ventura River. There are no significant natural features on either Parcel A or Parcel B

D. Conformity with Plans

Both Parcel A and Parcel B are in the unincorporated area of Ventura County and conform to the County's General Plan. Neither Parcel A or Parcel B are within the Sphere of Influence of any city, but are within the area of interest of the City of Ojai.

Part of Parcel A, the lot at 10901 Creek Road (APN 0340-0-270-015), is subject to the County's SOAR ordinance due to its Open Space General Plan designation.

Neither the Sphere of Influence Amendment proposal nor the Annexation proposal will result in any changes to plans or land use.

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

A. Agricultural Land and Agriculture

There are no agricultural uses in the proposal area, or any surrounding agricultural uses.

No part of the proposal area is within a greenbelt.

B. Open Space

Part of Parcel A, the lot at 10901 Creek Road (APN 0340-0-270-015), is considered open space. The remaining part of Parcel A and Parcel B are not open space.

3. Population:

According to the County of Ventura Registrar of Voters, there are less than 12 registered voters within the proposal area. Given this information, the proposal area is considered uninhabited in terms of LAFCO annexation proceedings

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

The Ojai Valley Sanitary District has represented that it has the capacity to provide sanitary sewer service, including treatment plant capacity, to each lot within the proposal area immediately upon annexation. There are existing Ojai Valley Sanitary District lines within 50 to 500 feet of each lot within the proposal area.

The individual property owners will pay for sewer line lateral connections to each lot in the proposal area and all connection charges. On-going operational costs will be financed by user charges.

No change to any other service, including school services, will result from this proposal.

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:

Assessor Parcel	Property Address	Assessed Land Value
034-0-270-015	10901 Creek Road	\$339,586
034-0-020-105	10981 Creek Road	\$352,695
034-0-020-085	11021 Creek Road	\$479,400
032-0-062-155	2389 Burnham Road	\$70,116

The lots at 10901 and 10981 Creek Road are in tax rate area 91070, and the lot at 11021 Creek Road is in tax rate area 91010. The lot at 2389 Burnham Road is in tax rate area 91134. All three of these tax rate areas have the same tax rate of 1.080677 for each \$100 of assessed valuation. Upon annexation to the Ojai Valley Sanitary District, the County Assessor has indicated that the lots in tax rate areas 91043 and 91070 will be assigned to tax rate area 91005, and the lot in tax rate area 91010 will be assigned to tax rate area 91134. These changes will not result in any tax rate changes and, thus, no changes to property taxes will result from this proposal.

The Ojai Valley Sanitary District issued a Revenue Refunding Bond in 2003 to refinance prior debt obligations for treatment plant improvements and the construction of other District facilities. This Bond is being repaid from overall District revenues and does not affect property taxes or result in any special assessments. Operation and maintenance of OVSD lines and facilities are financed by monthly sewer service charges.

7. Environmental Impact of the Proposal:

The Ojai Valley Sanitary District is the lead agency for this proposal. The District found the proposal to be categorically exempt under Section 15319(a) (annexation of existing facilities) of the California Environmental Quality Act Guidelines. The categorical exemption is appropriate for the proposal and no land use changes will result from this proposal.

8. Regional Housing Needs

The proposals are for a Sphere of Influence Amendment and Annexation into the Ojai Valley Sanitary District Sanitary District. Neither proposal will have any effect on the fair share of the regional housing needs for the County of Ventura.

9. Landowner and Annexing Agency Consent

All the landowners in the proposal area have given their written consent for the annexation to the Ojai Valley Sanitary District. Due to this fact and because the proposal area is considered uninhabited for LAFCO proceedings, the Ojai Valley Sanitary District has requested that all subsequent notice and protest proceedings be waived.

SPECIAL ANALYSIS:

The 3 lots and a portion of Creek Road that are depicted on the map attached to the recommended Sphere of Influence Resolution are not currently within the Sphere of Influence of the Ojai Valley Sanitary District. Thus, unless the Commission first approves the Sphere of Influence Amendment proposal, the annexation of Parcel A into the District cannot be approved. This does not apply to Parcel B as it is already within the District's Sphere of Influence.

Government Code §56425 (e) requires that in determining the Sphere of Influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision:

The present and planned uses in the area, including agricultural and open space lands.

There will be no change to the present or planned uses in the area to be added to the Sphere of Influence.

Describe the present and probable need for public facilities and services in the area.

There will be no change to the present and probable need for public facilities and services in the area. The area to be included within the Sphere of Influence of the Ojai Valley Sanitary District will allow the same area to be annexed into the Ojai Valley Sanitary District for the purpose of providing sanitary sewer services to each lot within the area.

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

The Ojai Valley Sanitary District has the present capacity and adequate public facilities to provide sanitary sewer services to the Sphere of Influence proposal area.

The existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

There are no social or economic communities of interest in the area that are relevant to the Sphere of Influence Amendment.

ALTERNATIVE ACTIONS AVAILABLE:

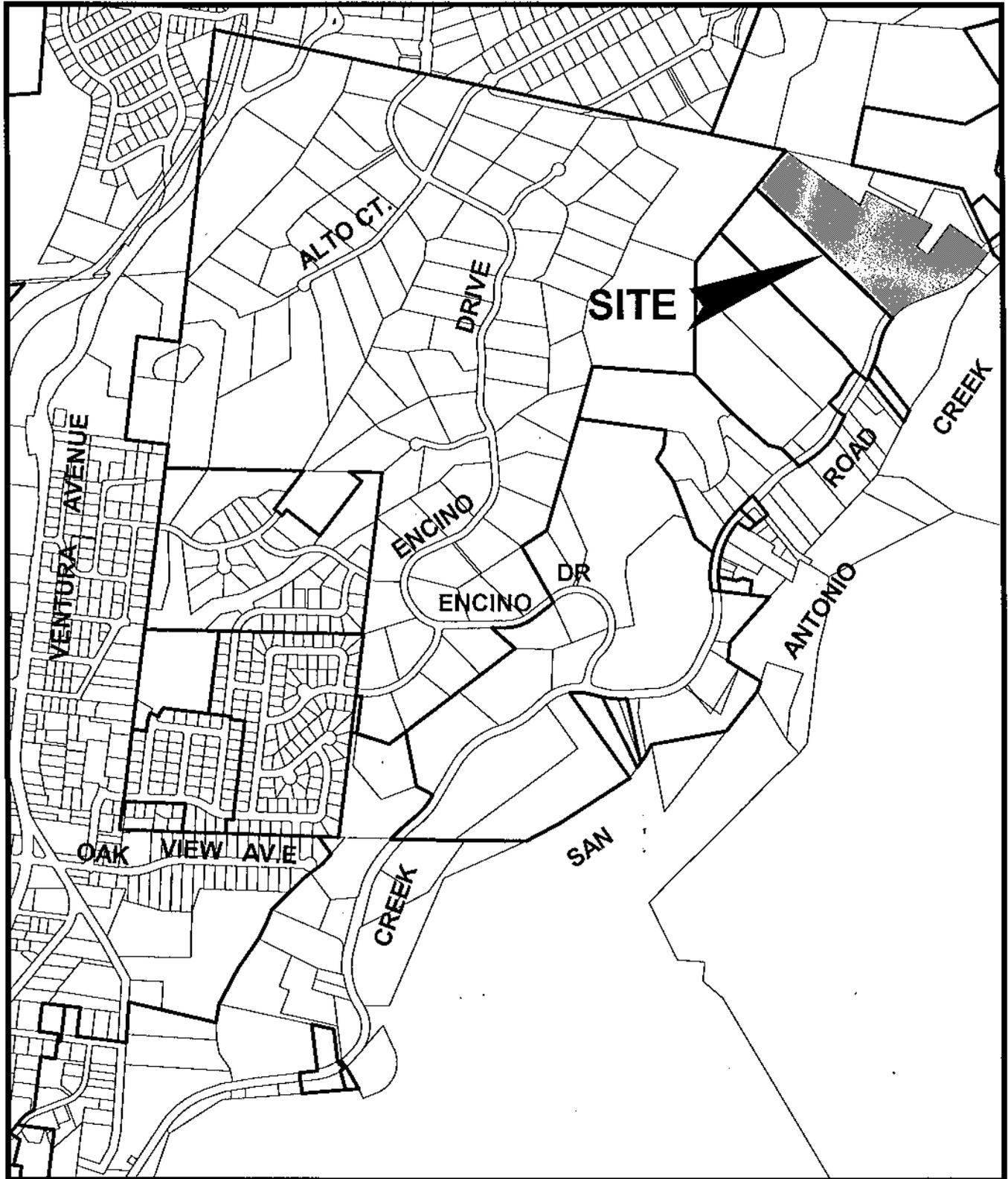
- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue either the Sphere of Influence Amendment proposal or the Annexation proposal, or both, should state specifically the type of information 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 either the Sphere of Influence proposal or the Annexation proposal, or both, should be modified, or that either 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 the proposals wishes to deny the Sphere of Influence proposal or the Annexation proposal, or both, a motion to deny should include adoption of this Report and all referenced materials as part of the public record. It should be

noted that if the Commission denies the Sphere of Influence proposal, the Annexation of Parcel A to the Ojai Valley Sanitary District cannot be approved.

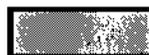
PREPARED FOR THE COMMISSION BY:

Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
 (2) LAFCO 04-05S Resolution
 (3) LAFCO 04-05 Resolution



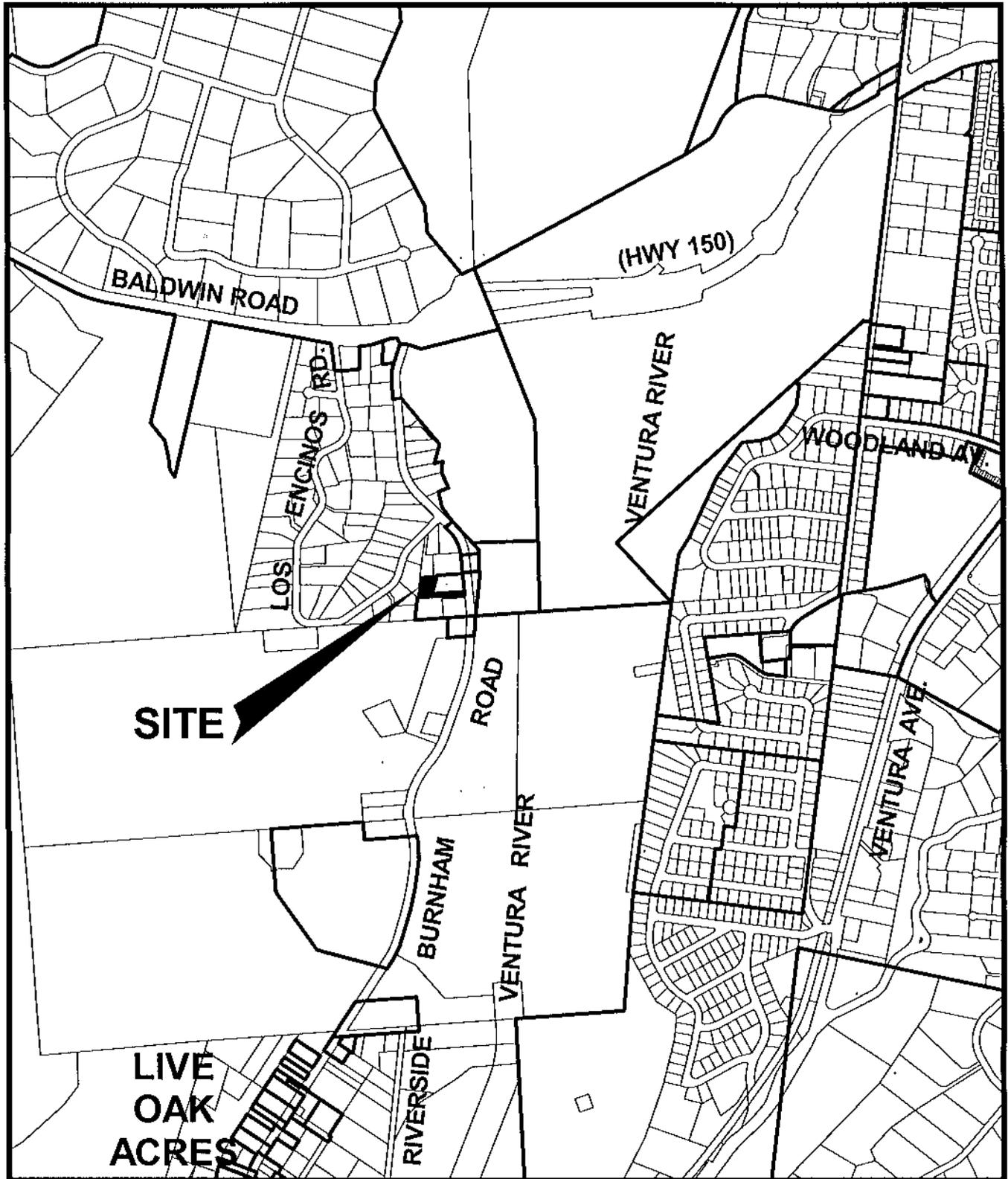
LEGEND

-  Existing Ojai Valley Sanitary District Boundary
-  Proposed Annexation Area

**LAFCO 04-05
VICINITY MAP**

OJAI VALLEY SANITARY DISTRICT ANEXATION
FRANCIS - OVSD NO. 2004-02
PARCEL A





LEGEND



Existing Ojai Valley Sanitary District Boundary



Proposed Annexation Area

**LAFCO 04-05
VICINITY MAP**

OJAI VALLEY SANITARY DISTRICT ANEXATION
FRANCIS - OVSD NO. 2004-02
PARCEL B

