



STAFF REPORT

Meeting Date: September 15, 2004

CONSENT

**LAFCO CASE
NAME & NO.**

LAFCO 04-16 Calleguas Municipal Water District Annexation –
Santa Clara Cemetery

PROPOSAL:

The proposal is to annex the Santa Clara Cemetery in the City of Oxnard into Calleguas Municipal Water District so the City of Oxnard can provide water purchased from Calleguas to expanded and new facilities at the Cemetery.

SIZE:

Approximately 20.25 acres.

LOCATION:

The proposal area is generally located westerly of H Street northerly of Vineyard Avenue and westerly of Oxnard Boulevard and has a street address of 2370 H Street. The proposal area includes a portion of H Street, is within the City of Oxnard and within the sphere of influence of the Calleguas Municipal Water District.

**ASSESSOR'S
PARCEL**

INFORMATION:

The proposal area includes the following Assessor's Parcels:
139-0-050-185 and 139-0-050-225.

PROPONENT:

Calleguas Municipal Water District, by Resolution.

NOTICE:

This matter has been noticed as required by law.

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:

Leroy Smith

RECOMMENDATIONS:

1. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by the City of Oxnard as lead agency, and approve the determination that the proposal is exempt under Sections 15301(e)(2)(a) and 15303(c) of the CEQA Guidelines.
2. Adopt the attached resolution (LAFCO 04-16) making determinations and approving the Calleguas Municipal Water District Annexation – Santa Clara Cemetery.

GENERAL ANALYSIS:

1. Land Use:

A. Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Cemetery burial areas, small office and a small area in agriculture (row crops).	City: CR – Cemetery.	City: Public/Semi Public Use.
Proposed	The City of Oxnard has approved a Special Use Permit allowing for additional burial sites, and permitting the construction of a mausoleum addition and an office/mortuary building.	No Change.	No Change.

B. Surrounding Land Uses and Zoning and General Plan Designations

	Land Use	Zone District Classification	General Plan Designation
North	Residential; single family and mobile home park.	City: R-1 PD (single family residential – planned development) and MH-PD (manufactured home planned development).	City: Low density residential and factory built residential.
South	Residential, mixed use.	City: R-3 PD (multi family residential planned development).	City: High density residential.
East	Residential, mobile home park.	City: MH-PD (manufactured home – planned development).	City: Factory built residential.
West	Residential, single family.	City: R-1-7 PD (single family residential, 7,000 sq. ft. lots minimum, planned development).	City: Low density residential.

C. Topography, Natural Features and Drainage

Developed portions of the Cemetery slope approximately 0.02% toward the undeveloped areas, which in turn slope approximately 0.002% toward H Street.

D. Conformity with Plans

The proposal area is entirely within the City of Oxnard. The City has approved a special use permit to allow for additional burial sites and permitting the construction of a mausoleum addition and an office/mortuary building on undeveloped land within the existing Cemetery area. The use and expansion are consistent with the City of Oxnard General Plan.

The area is located within the sphere of influence of the City of Oxnard.

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

The proposal area is not considered agricultural. Even though a small portion of the existing Cemetery lands is used for agriculture, the entire area has long been planned for cemetery uses and there will be no impact on agricultural lands.

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:

Calleguas Municipal Water District wholesales potable water from the State Water Project to the City of Oxnard. The City of Oxnard is the water utility for the City providing water from several sources on a retail basis. The Santa Clara Cemetery is already receiving water service from the City of Oxnard.

Calleguas Municipal Water District is a member agency of the Metropolitan Water District of Southern California (MWD). MWD requires that any water from any of its member agencies can only be provided to lands within the boundaries of member agencies. Thus, even though water service is already being provided, to accommodate the proposed Cemetery expansion, and based on agreements between the City of Oxnard, Calleguas and MWD, the Cemetery must be annexed to Calleguas.

The nearest Calleguas facilities are approximately 5.25 miles to the east of the Cemetery, but these facilities deliver water to the City of Oxnard water distribution system. The City of Oxnard supplies water to the Cemetery from a line in H Street. No new or expanded facilities or lines are needed or will be constructed as a result of this annexation.

5. Boundaries and Lines of Assessment:

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

The County Surveyor is still checking the boundary map and legal description submitted with the proposal. Any approval should be conditioned upon maps and legal descriptions sufficient for filing with the State Board of Equalization being submitted to the Executive Officer prior to recordation and completion of proceedings.

6. Assessed Value, Tax Rates and Indebtedness:

Because the Cemetery is owned and operated by the Roman Catholic Archdiocese of Los Angeles, the Cemetery is exempt from property taxes and there is no assessed no value.

The proposal area is currently within tax rate area 03193 that has a total tax rate of 1.153977 per \$100 of assessed valuation. The County Assessor has indicated that upon the completion of the proposed annexation, the properties in the area will be assigned to tax rate area 03024 that has a tax rate of 1.160037 per \$100 of assessed valuation. Because the Cemetery is owned and operated by a religious organization it is tax exempt and there will be no changes to property taxes resulting from this proposal.

Both Calleguas and MWD have outstanding bonded indebtedness. The debt is paid by revenue from water sales, apportioned property taxes and standby charges. As noted, in this instance, there will be no apportioned property tax revenue.

7. Environmental Impact of the Proposal:

The City of Oxnard was lead agency for the Cemetery expansion under CEQA. The City found the expansion to be Categorically Exempt under Section 15301(e)(2)(a), Class 1, Existing Facilities, additions to existing structures of 10,000 sq. ft. or less in an area where all public services and facilities are available for maximum development permissible under the General Plan, and Section 15303(c), Class 3, new construction of buildings up to 10,000 sq. ft. in area not involving the use of significant amounts of hazardous substances, of the CEQA Guidelines.

Calleguas, like LAFCO, is a responsible agency under CEQA in this instance and Calleguas also relied on the City of Oxnard's exemption determination.

8. Regional Housing Needs

The proposal is for annexation to a special 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

Calleguas has provided proof that all landowners have given their written consent to this proposal and 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 wishes to deny the 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 04-16 Resolution

04-16

Calleguas Annexation Santa Clara Cemetery
(Calleguas Annexation No. 84)
Vicinity Map



LAFCO 04-16

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE CALLEGUAS MUNICIPAL WATER
DISTRICT ANNEXATION – SANTA CLARA CEMETERY**

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 September 15, 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 Calleguas Municipal Water District 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 September 15, 2004 is adopted.
- (2) Said annexation is hereby approved as submitted.
- (3) The subject proposal is assigned the following distinctive short form designation: **LAFCO 04-16 CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION – SANTA CLARA CEMETERY**
- (4) The boundaries of the affected territory are generally as set forth in Exhibit A attached hereto and made a part hereof.

- (5) This change of organization shall not be recorded until maps and legal descriptions consistent with this approval and suitable for filing with the State Board of Equalization have been submitted to the LAFCO Executive Officer.
- (6) The Commission has reviewed and considered the lead agency's determination that the proposal is categorically exempt under Sections 15301(e)(2)(a) and 15303(c) of the California Environmental Quality Act Guidelines, and finds the proposal to be categorically exempt under Sections 15301(e)(2)(a) and 15303(c).
- (7) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency under Section 15062 of the CEQA Guidelines.
- (8) The Commission hereby waives protest proceedings entirely.

This resolution was adopted on September 15, 2004.

AYES:

NOES:

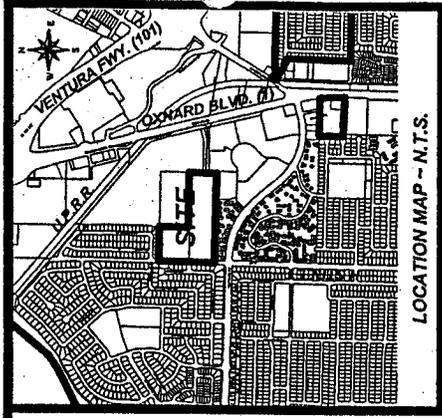
ABSTAIN:

Dated: _____

Chair, Ventura Local Agency Formation Commission

Copies: Calleguas Municipal Water District
City of Oxnard
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning

04-16

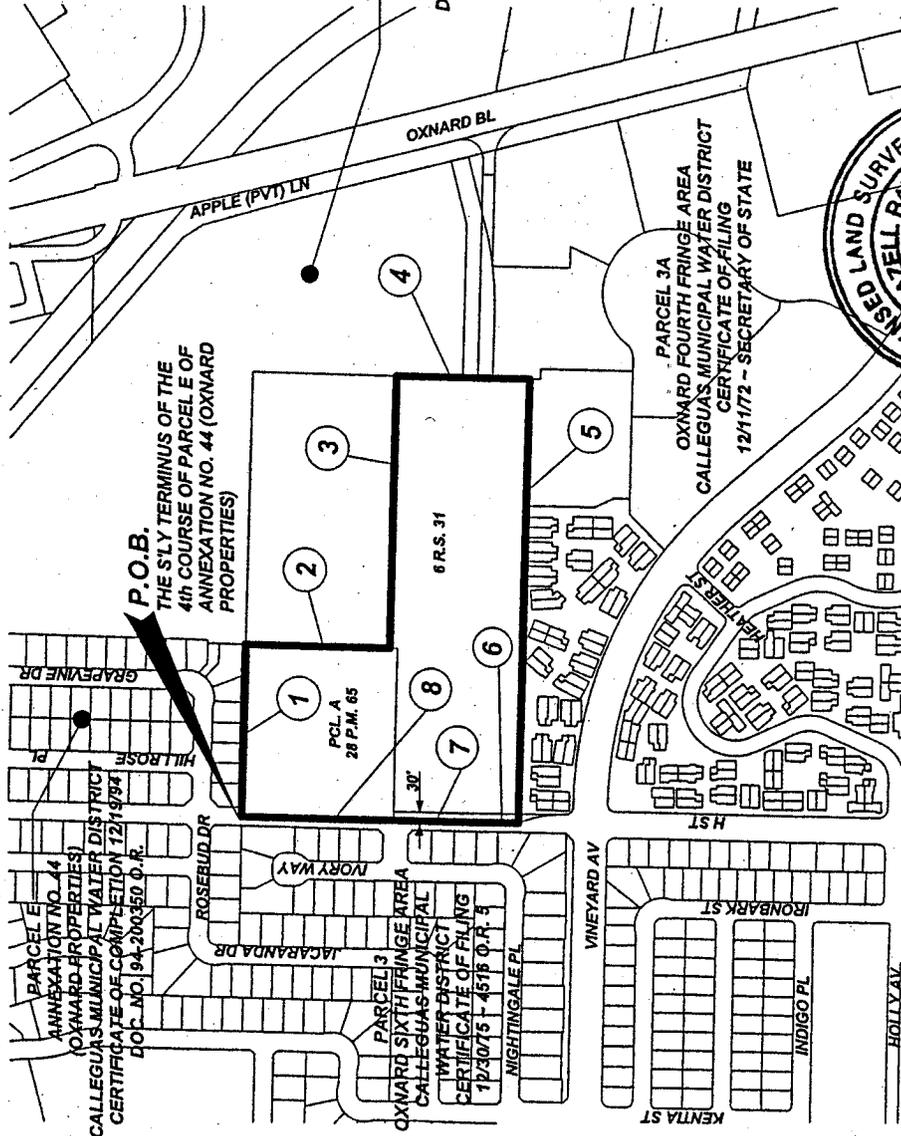


COURSES

1 - N 89°58'11" E	556.36'
2 - S 00°00'49" E	466.80'
3 - S 89°59'30" E	879.38'
4 - S 00°00'30" W	434.49'
5 - N 89°59'30" W	1433.19'
6 - N 00°06'30" W	150.00'
7 - N 00°09'00" W	259.49'
8 - N 00°11'26" W	491.43'

20.25 ACRES

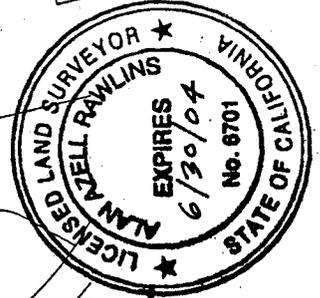
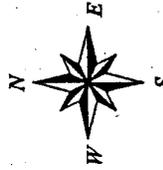
PARCEL 6
 OXNARD FIFTH FRINGE AREA
 CALLEGUAS MUNICIPAL WATER DISTRICT - CERTIFICATE OF FILING
 12/16/74 - 4346 O.R. 652



P.O.B.
 THE S'LY TERMINUS OF THE
 4th COURSE OF PARCEL E OF
 ANNEXATION NO. 44 (OXNARD
 PROPERTIES)

20.25 ACRES - GROSS AREA
 -0.28 ACRE - ROAD AREA
 19.97 ACRES - NET AREA

PREPARED BY:
 CALLEGUAS MUNICIPAL WATER DISTRICT
 2100 OLSEN ROAD
 THOUSAND OAKS, CALIFORNIA
 91360-6800
 (805) 579-7129



Alan Zell Rawlins

**CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION
 SANTA CLARA CEMETERY
 (ANNEXATION NO. 84)**

EXISTING CALLEGUAS MUNICIPAL WATER DISTRICT AND PROPOSED ANNEXATION BOUNDARY

BEING A PORTION OF SUBDIVISIONS 10 AND 21 OF RANCHO EL RIO DE SANTA CLARA O'LA COLONIA, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA.

MARCH 13, 2004

SHEET 1 OF 1

**CALLEGUAS MUNICIPAL WATER DISTRICT ANNEXATION
SANTA CLARA CEMETERY
(ANNEXATION NO. 84)**

That portion of Subdivisions 10 and 21 of Rancho El Rio De Santa Clara O'La Colonia, in the City of Oxnard, County of Ventura, State of California, described as follows:

Beginning at the northwesterly corner of Parcel A of Parcel Map 2800 as shown on the map filed in the Office of the County Recorder of said County in Book 28, Page 65 of Parcel Maps, said corner also being the southerly terminus of the 4th course of Parcel E of Annexation No. 44 (Oxnard Properties) to the Calleguas Municipal Water District as described and shown in the Certificate of Completion recorded on December 19, 1994 in the Office of said County Recorder as Document No. 94-200350 Official Records; thence, along the boundary of said Parcel A by the following two courses and along the existing boundary of said Calleguas Municipal Water District by the following eight courses:

- 1st - North 89°58'11" East 556.36 feet; thence,
- 2nd - South 00°00'49" East 466.80 feet to the northwest corner of the 5.745 acre parcel shown on the map filed in the Office of said County Recorder in Book 6, Page 31 of Record of Surveys; thence, along the boundary of said 5.745 acre parcel and the boundary of the 4.936 acre parcel as shown on said map recorded in Book 6, Page 31 of Records of Surveys by the following four courses:
 - 3rd - South 89°59'30" East 879.38 feet; thence,
 - 4th - South 00°00'30" West 434.49 feet; thence,
 - 5th - North 89°59'30" West 1433.19 feet to the westerly line of said Subdivision No. 21; thence, along said westerly line,
 - 6th - North 00°06'30" West 150.00 feet to the southwesterly corner of said Subdivision No. 10; thence, along the westerly boundary of said Subdivision No. 10 by the following two courses:
 - 7th - North 00°09'00" West 259.49 feet to the southwesterly corner of said Parcel A of said Parcel Map 2800; thence, along the westerly line of said Parcel A,
 - 8th - North 00°11'26" West 491.43 feet to the point of beginning.

20.25 Acres – Gross area
-0.28 Acre – Road area
19.75 Acres – Net area

