



STAFF REPORT

Meeting Date: September 21, 2005
CONSENT

Agenda Item 7

**LAFCO CASE
NAME & NO:**

LAFCO 05-15 Ojai Valley Sanitary District Annexation – Los Encinos (Parcels A & B)

PROPOSAL:

To annex four lots and a portion of Los Encinos Road and a portion of Creek Road into the Ojai Valley Sanitary District for the purpose of providing sanitary sewer service.

SIZE:

Parcel A: Approximately 1.84 acres
Parcel B: Approximately 3.20 acres

LOCATION:

Parcel A: Immediately south of the intersection of Burnham and Los Encinos Roads in the Ojai Area of interest. Three lots with street addresses of 2381 Los Encinos Road, 2385 Los Encinos Road, and 2363 Burnham Road.
Parcel B: One vacant lot (no street address) bisected by Creek Road in the Ojai Area of Interest.

PROPONENT:

Ojai Valley Sanitary District by resolution.

NOTICE:

This matter has been noticed as prescribed by law.

PARCEL INFORMATION:

Parcel	Assessor's Parcel	Property Address	Property Owner(s)
A	032-0-062-215	2381 Los Encinos Road	Vallen, Eric-Kristina
	032-0-062-225	2385 Los Encinos Road	Garcia, Julio S-Margaret Tr.
	032-0-062-095	2363 Burnham Road	Delzell, Merle E-Joy
B	033-0-130-110	Vacant	Archer, Brian M-Joan

COMMISSIONERS AND STAFF

COUNTY:
Linda Parks, Vice Chair
Kathy Long
Alternate:
Steve Bennett

CITY:
Don Waunch
John Zaragoza
Alternate:
Janice Parvin

SPECIAL DISTRICT:
Dick Richardson, Chair
Ted Grandsen
Alternate:
George Lange

PUBLIC:
Kenneth M. Hess
Alternate:
Louis Cunningham

EXECUTIVE OFFICER:
Everett Millais

LAFCO ANALYST:
Kim Uhlich

OFFICE MANAGER/CLERK:
Debbie Schubert

LEGAL COUNSEL:
Leroy Smith

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 July 25, 2005, and determine that the change of organization is exempt under Section 15319(a) & (b) of the CEQA Guidelines.
- B. Adopt the attached resolution (LAFCO 05-15) making determinations and approving the Ojai Valley Sanitary District Annexation – Los Encinos (Parcels A & B).

GENERAL ANALYSIS

1. Land Use

Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	A: Single Family Dwellings B: Vacant	County: A: R1-20,000 sq ft (Urban Residential, 20,000 sq. ft. min.) B: RE-2ac/SRP (Rural Rural Exclusive/Scenic Resource Protection Overlay Zone, 2 ac. min.) City: NA	County: A: Existing Community B: Rural (2 ac. min.) City: NA
Proposed	No Change	No Change	No Change

No changes are proposed to the land use, zoning or County General Plan designations for any of the Parcels.

Surrounding Land Uses and Zoning and General Plan Designations

This proposal will have no effect on surrounding land uses, zoning or general plan designations.

Topography, Natural Features and Drainage

Parcel A: The lots are situated on an easterly facing river terrace sloping to the westerly edge of the Ventura River. The elevation is approximately 500 feet with an overall slope of less than five percent. The lots are landscaped with both non-native and native species, including oak trees and annual grasses.

Parcel B: The lot is situated on a steep hillside sloping easterly to San Antonio Creek. The elevation is approximately 500 feet. The lot is landscaped with native trees, brush and grasses. San Antonio Creek bisects a portion (northeast corner) of the lot.

Conformity with Plans

All of the lots are within the Sphere of Influence of the Ojai Valley Sanitary District.

The existing land uses (single-family residential) are consistent with the County's Ojai Valley Area Plan designations.

None of the lots in the proposal area are affected by the County's SOAR ordinance.

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

Agricultural Land and Agriculture

All of the lots within the proposal area are zoned for residential uses. All the lots within the Parcel A area are developed with single family homes. The lot within Parcel B is vacant. There are no agricultural uses on any of the lots, nor any adjoining agricultural uses.

The proposal area is not subject to a Land Conservation Act contract or a Farmland Security Zone agreement, and is not located within a greenbelt.

Open Space

None of the lots in the proposal area are considered open space pursuant to Government Code Sections 56059 and 65560, and the proposal will not impact open space lands.

3. Population

Except for Parcel B, which is vacant, all of the lots in the proposal area are developed with single-family residences. According to the County Registrar of Voters, there are a total of less than 12 registered voters in the proposal area. As such, the annexation proposal area is considered to be uninhabited under the provisions of LAFCO law relating to protest proceedings.

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

The proposal involves annexation to the Ojai Valley Sanitary District so that each affected lot can connect to the District's wastewater collection and treatment system. Following construction of an extension to an existing sewer mainline, the District has represented that it will have the ability and capacity to service the annexation proposal area.

The property owners will be required to finance all necessary improvements and connections to the District's facilities. On-going maintenance and operational costs will be financed by residential user fees.

There will be no change to any other existing services.

5. Boundaries and Lines of Assessment

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

The maps and legal descriptions for this proposal received from the proponent have been checked by the County Surveyor and have been certified as being accurate and sufficient for the preparation of a Certificate of Completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization.

6. Assessed Value, Tax Rates and Indebtedness

According to the County Assessor, Parcel A is in tax rate area 91043 and will be assigned to tax rate area 91005 upon completion of proceedings. However the current tax rate of \$1.069534 per \$100 of assessed valuation will remain the same upon annexation. Parcel B is in tax area 70056 and will be assigned to tax rate area 70025 upon the completion of proceedings. The current tax rate of \$1.065334 per \$100 of assessed valuation will also remain the same upon annexation.

The assessed land value of each lot per the 2004 - 2005 tax roll is:

Assessor's Parcel	Property Address	Property Owner(s)	Assessed Land Value
032-0-062-215	2381 Los Encinos Road	Vallen, Eric-Kristina	\$209,499
032-0-062-225	2385 Los Encinos Road	Garcia, Julio S-Margaret Tr.	\$75,133
032-0-062-095	2363 Burnham Road	Delzell, Merle E-Joy	\$47,778
033-0-130-110	Vacant	Archer, Brian M-Joan	\$102,000
TOTAL			\$434,410

7. Environmental Impact of the Proposal

The Ojai Valley Sanitary District is the lead agency for this proposal and found the proposal to be categorically exempt under Section 15319(a) and (b) [annexation to a special district of areas containing existing structures developed to the density allowed by the current zoning and annexation of individual small parcels of the minimum size for facilities exempted by Section 15303 - new construction of small structures] of the California Environmental Quality Act Guidelines. As the annexation is to provide sanitary sewer service to existing lots with existing development or to a lot limited by size and zoning designation for construction of a new single family residence only, a categorical exemption is appropriate for this proposal.

8. Regional Housing Needs

According to the California Housing and Community Development Department the County of Ventura adopted an updated General Plan Housing Element on June 19, 2001 and completed State review for compliance on October 18, 2001. The annexation proposal area is fully developed consistent with the County's

General Plan. Therefore, the proposal will have no effect on the fair share of the regional housing needs for the County of Ventura.

9. Landowner and Annexing Agency Consent

The Ojai Valley Sanitary District 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:

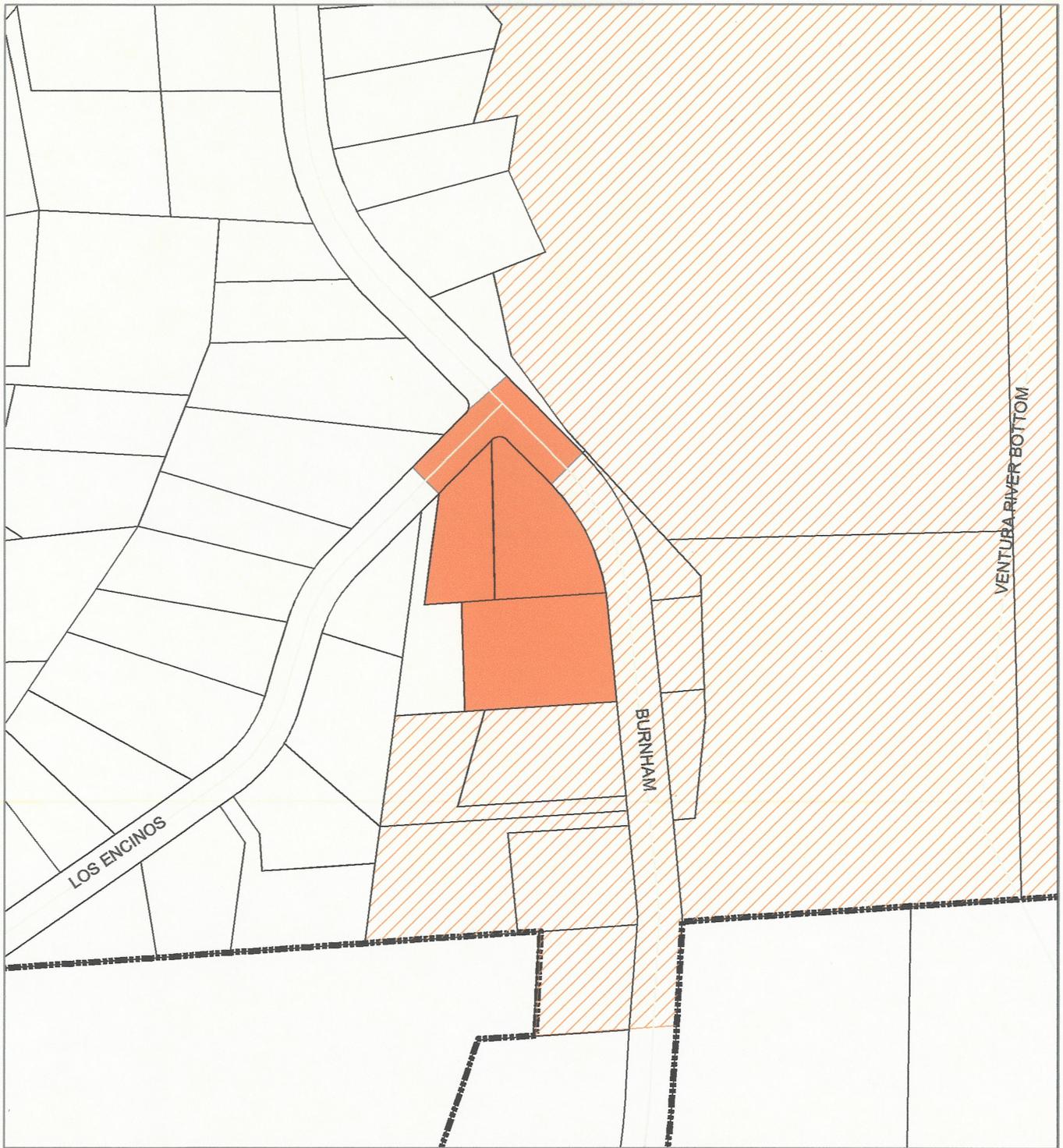
- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.

- B. If the Commission, following public testimony and review of materials submitted, wishes to deny or modify this proposal, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

BY: Kim Uhlich
Kim Uhlich, Senior Analyst

Attachments: (1) Vicinity Maps
(2) LAFCO 05-15 Resolution

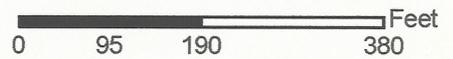
ATTACHMENT 1



Legend

-  Parcels
-  Los Encinos Annexation (Parcel A)
-  Ojai Valley Sanitary District Boundary
-  Ojai Valley Sanitary District Sphere

Ventura LAFCO Vicinity Map LAFCO 05-15 Ojai Valley Sanitary District Annexation - Los Encinos (Parcel A)



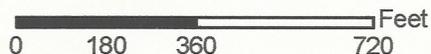
ATTACHMENT 1



Legend

-  Parcels
-  Los Encinos Annexation (Parcel B)
-  Ojai Valley Sanitary District Boundary
-  Ojai Valley Sanitary District Sphere

Ventura LAFCO Vicinity Map
LAFCO 05-15 Ojai Valley Sanitary District
Annexation - Los Encinos (Parcel B)



ATTACHMENT 2

LAFCO 05-15

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE OJAI VALLEY SANITARY DISTRICT ANNEXATION – LOS ENCINOS (PARCELS A & B)

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 as required by law; and

WHEREAS, the proposal was duly considered on September 21, 2005; 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, 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 and present and future inhabitants within the Ojai Valley Sanitary 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 21, 2005, is adopted.
- (2) The annexation to the Ojai Valley Sanitary District is hereby approved, and the boundaries are established generally as set forth in the attached Exhibit A.
- (3) The affected territory is uninhabited as defined by Government Code §56046.

- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 05-15 OJAI VALLEY SANITARY DISTRICT ANNEXATION – LOS ENCINOS (Parcels A & B).**
- (5) The Commission has reviewed and considered the lead agency's determination that the change of organization is categorically exempt under Section 15319(a) and (b) of the California Environmental Quality Act Guidelines, and finds the change of organization to be categorically exempt under Section 15319(a) and (b).
- (6) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency, under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) The Commission, consistent with California Government Code Section 56663(c), hereby waives protest proceedings entirely.
- (8) **This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This resolution was adopted on September 21, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

Copies: Ojai Valley Sanitary District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections-Registrar of Voters

EXHIBIT A

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Rowland*

Date: 8-22-05

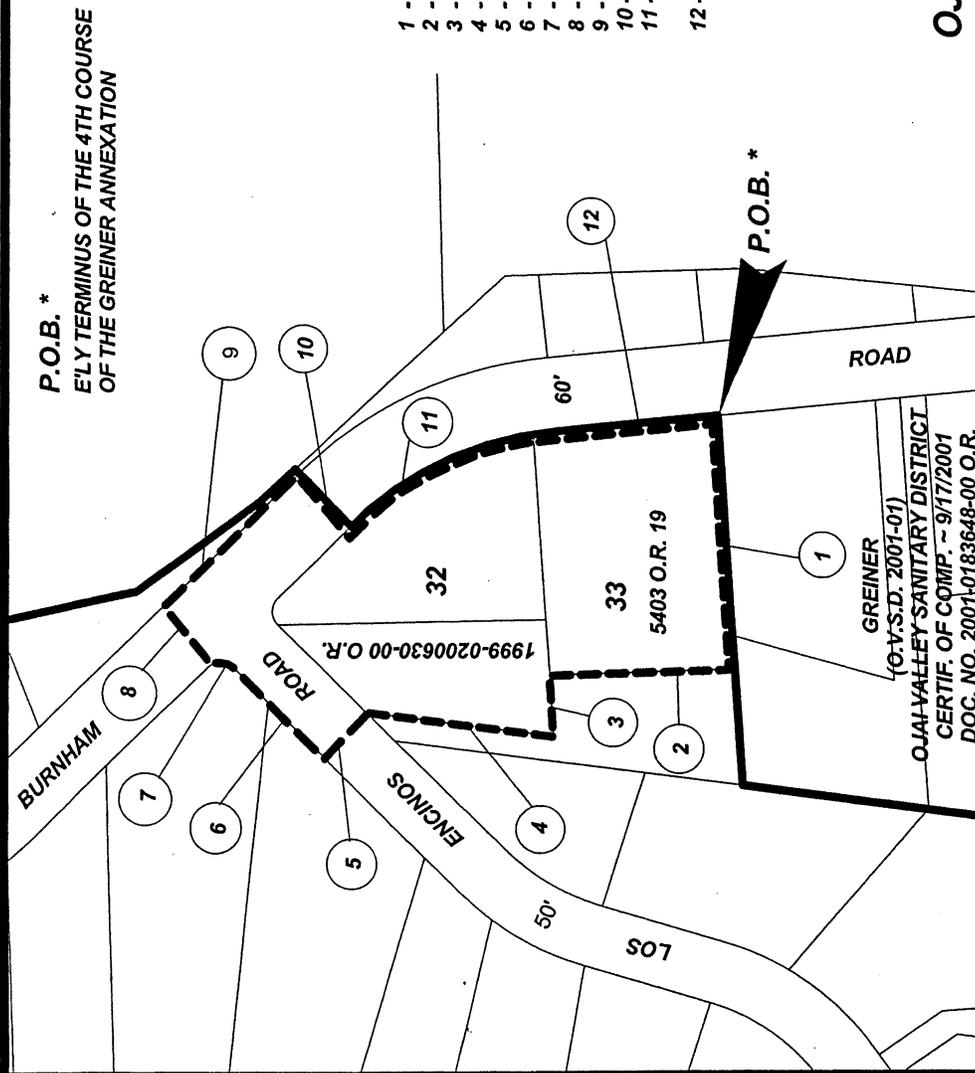
05-15



COURSES

- 1 - S 84°55'00" W 205.01'
- 2 - N 03°19'00" W 147.32'
- 3 - S 84°54'15" W 44.42'
- 4 - N 05°59'00" E 151.01'
- 5 - N 46°45'00" W 50.00'
- 6 - N 43°15'00" E 97.74'
- 7 - R = 15.00'; L = 23.36'; D = 89°14'30"
- 8 - N 44°00'30" E 60.00'
- 9 - S 45°59'30" E 159.74'
- 10 - S 44°00'30" W 60.00'
- 11 - R = 270.00'; L = 163.74'; D = 38°59'30";
RAD. BEARING = N 44°00'30" E
- 12 - S 07°00'00" E 130.37'

1.84 ACRES



OJAI VALLEY SANITARY DISTRICT ANNEXATION
LOS ENCINOS - PARCEL A
(OVSD NO. 2005-04)

THAT PORTION OF LOTS 32 AND 33 OF THE LOS ENCINOS TRACT,
IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, PER 14 M.R. 82

EXISTING OJAI VALLEY SANITARY DISTRICT BOUNDARY

PROPOSED ANNEXATION BOUNDARY



APRIL 26, 2005 ~ REVISED 5/24/05

SHEET 1 OF 1

**OJAI VALLEY SANITARY DISTRICT ANNEXATION
LOS ENCINOS – PARCEL A
(O.V.S.D. 2005-04)**

05-15

That portion of Lots 32 and 33 of the Los Encinos Tract, in the County of Ventura, State of California, as said Lots 32 and 33 are shown on the map recorded in the Office of the County Recorder of said County in Book 14, Page 82 of Miscellaneous Records, described as follows:

Beginning at the southeasterly corner of said Lot 33, said corner also being the easterly terminus of the 4th course of the Greiner Annexation (O.V.S.D. 2001-01) to the Ojai Valley Sanitary District, as shown and described in the Certificate of Completion recorded in the Office of said County Recorder on September 17, 2001, as Document No. 2001-0183648-00 of Official Records; thence, along the southerly line of said Lot 33 and the existing boundary of said Ojai Valley Sanitary District by the following course,

- 1st - South 84°55'00" West 205.01 feet to the westerly line of Parcel 1 as described in the Joint Tenancy Grant Deed recorded in the Office of said County Recorder on May 31, 1979, in Book 5403, Page 19 of Official Records; thence, along said westerly line,
- 2nd - North 3°19'00" West 147.32 feet to the southerly line of said Lot 32; thence, along said southerly line,
- 3rd - South 84°54'15" West 44.42 feet to the westerly line of Parcel 1 as described in the Grant Deed recorded in the Office of said County Recorder on November 03, 1999 as Document No. 1999-0200630-00 of Official Records; thence, along said westerly line,
- 4th - North 5°59'00" East 151.01 feet to the southeasterly line of Los Encinos Road, 50.00 feet wide; thence, at right angles to said southeasterly line,
- 5th - North 46°45'00" West 50.00 feet to the northwesterly line of said Los Encinos Road, 50.00 feet wide; thence, along said northwesterly line by the following two courses:
- 6th - North 43°15'00" East 97.74 feet to the beginning of a curve concaved westerly and having a radius of 15.00 feet; thence, along said curve,
- 7th - Northeasterly, northerly, and northwesterly 23.36 feet through a central angle of 89°14'30" to the southwesterly line of Burnham Road, 60.00 feet wide; thence, at right angles to said southwesterly line,
- 8th - North 44°00'30" East 60.00 feet to the northeasterly line of said Burnham Road, 60.00 feet wide; thence, along said northeasterly line,

- 9th - South 45°59'30" East 159.74 feet to the existing boundary of said Ojai Valley Sanitary District; thence, along said existing district boundary by the following three courses:
- 10th - South 44°00'30" West 60.00 feet to a point in said southwesterly line of Burnham Road, 60.00 feet wide, said point being the beginning of a nontangent curve concaved southwesterly, having a radius of 270.00 feet, and having a radial to said beginning of said curve bearing North 44°00'30" East; thence, along said curve and along said southwesterly line by the following two courses:
- 11th - Southeasterly and southerly 183.74 feet through a central angle of 38°59'30"; thence,
- 12th - South 7°00'00" East 130.37 feet to the point of beginning and containing 1.84 acres.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Kautkus*

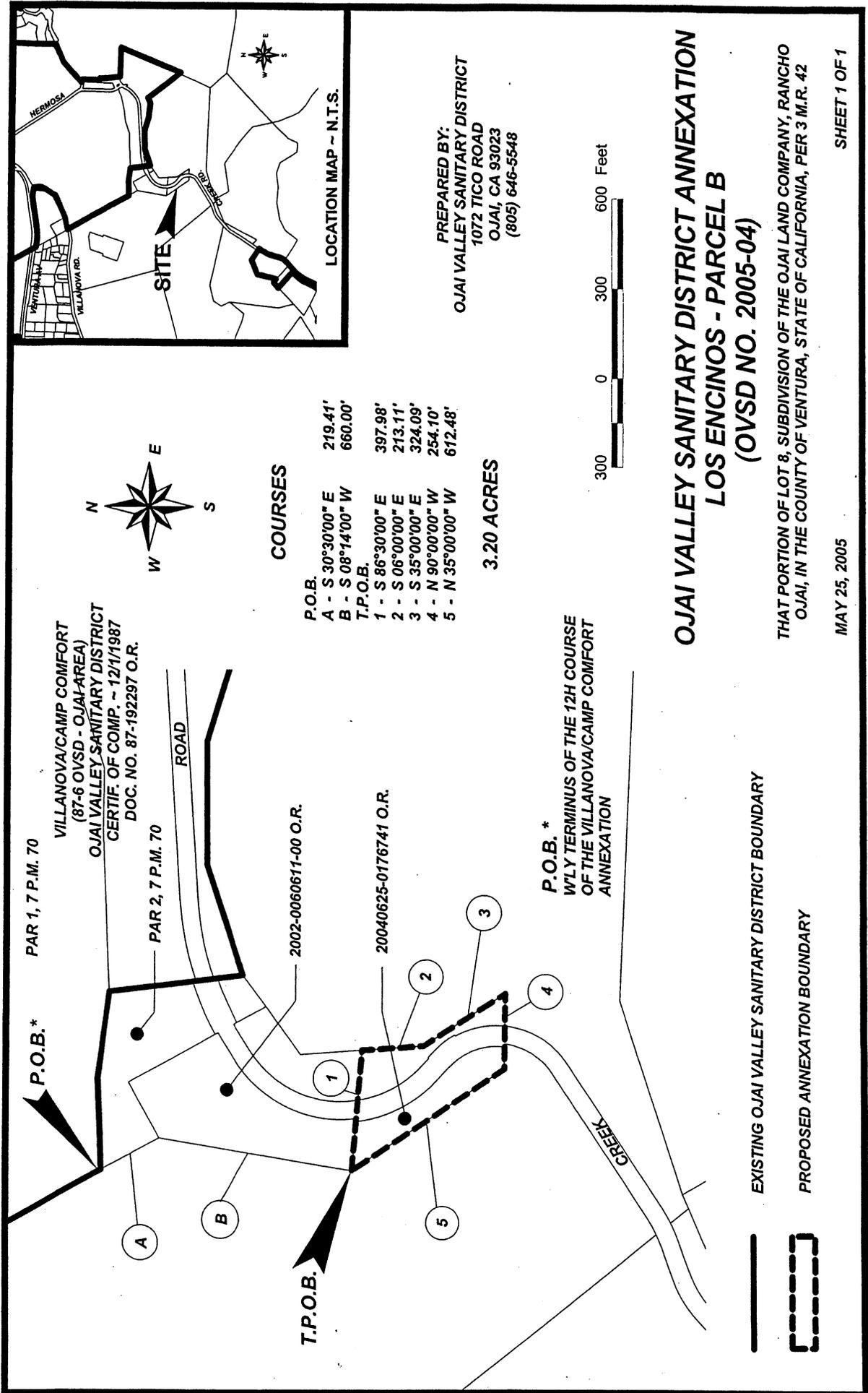
Date: *8-22-05*

05-15

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *[Signature]*

Date: 8-22-05



THAT PORTION OF LOT 8, SUBDIVISION OF THE OJAI LAND COMPANY, RANCHO OJAI, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, PER 3 M.R. 42

05-15

**OJAI VALLEY SANITARY DISTRICT ANNEXATION
LOS ENCINOS – PARCEL B
(O.V.S.D. 2005-04)**

That portion of Lot 8 of the Subdivision of Ojai Land Company, Rancho Ojai, in the County of Ventura, State of California, as said Lot 8 is shown on the map recorded in the Office of the County Recorder of said County in Book 3, Page 42 of Miscellaneous Records, described as follows:

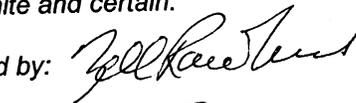
Beginning at a point in the easterly line of said Lot 8, said point being at the most westerly corner of Parcel 2 as shown on the parcel map filed in the Office of the County Recorder of said County, in Book 7, Page 70 of Parcel Maps, said point also being the westerly terminus of the 12th course of Parcel A of the Villanova/Camp Comfort Annexation (87-6 OVSD-Ojai Area) to the Ojai Valley Sanitary District, as shown and described in the Certificate of Completion recorded in the Office of said County Recorder on December 1, 1987, as Document No. 87-192297 of Official Records; thence, South 30°30'00" East 219.41 feet along the westerly line of said Parcel 2 to the northwesterly corner of the parcel described in the Quitclaim Deed recorded in the Office of said County Recorder on March 12, 2002, as Document No. 2002-0060611-00 of Official Records; thence, South 8°14'00" West 660.00 feet along the westerly line of said Quitclaim Deed parcel to the most northerly corner of the parcel described in the Grant Deed recorded in the Office of said County Recorder on June 25, 2004, as Document No. 20040625-0176741 of Official Records, said most northerly corner being the True Point of Beginning; thence, along the boundary of said Grant Deed parcel by the following five courses:

- 1st - South 86°30'00" East 397.98 feet; thence,
- 2nd - South 6°00'00" East 213.11 feet; thence,
- 3rd - South 35°00'00" East 324.09 feet; thence,
- 4th - WEST 254.10 feet; thence,
- 5th - North 35°00'00" West 612.48 feet to the point of beginning and containing 3.20 acres.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

Date:



8-22-05