

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 6, 2013 (Agenda)

LAFCO 13-4: Key Site 4 Reorganization: Annexation to County Service Area No. 5 (Orcutt)/Annexation to the North County Lighting District

PROPONENT: Board of Supervisors, by resolution adopted February 5, 2013.

ACREAGE & LOCATION Less than one acre located south of and including Clark Avenue at Stilwell Road; Orcutt Area

PURPOSE: To annex this property to these special districts in conjunction with vacation of a portion of a public road right-of-way.

GENERAL ANALYSIS:

County Service Area No. 5 (Orcutt) and North County Lighting District finance, respectively, open space maintenance and street lighting. This proposal will annex land to these districts in conjunction with vacating a portion of Clark Avenue, a public road, and approval of Tentative Parcel Map No. 14,764 to allow construction of three commercial buildings.

PROJECT INFORMATION

1. Land Use, Planning and Zoning - Present and Future:

This property is a vacant portion of a road right-of-way.

The Orcutt Community Plan designates the site as General Commercial. It is within the Urban Area. The vacated road way will be included in a parcel that is zoned General Commercial (C-2).

Surrounding uses are single-family residential to the west and north, a mobile home park to the south and vacant land planned for commercial uses to the east.

The proposal area is located within the City of Santa Maria Sphere of Influence.

2. Topography, Natural Features and Drainage Basins

The site and surrounding areas are generally level. No significant natural boundaries affect the proposal.

3. Population:

There are no dwelling units within the proposal area and none are proposed.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

A "Plan for Providing Services within the Affected Territory" is on file in the LAFCO office as required by Government Code section 56653. The annexing districts receive funding from benefit assessments and a portion of the general property tax levy.

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

The project site is not prime agricultural land as defined in Government Code Section 56064, nor is there agricultural production on the site.

6. Assessed Value, Tax Rates and Indebtedness:

The proposal is presently within tax rate area 80012. The property will be assigned taxable assessed value when it is combined with the adjacent privately-owned parcel.

The subject territory, upon annexation, will be liable for payment of its share of payment of revenues to the annexing districts, which is recommended as a condition of approval.

5. Environmental Impact of the Proposal:

The County of Santa Barbara, as lead agency, in consultation with LAFCO and other responsible agencies, has found significant environmental effects may result from the commercial development project. In accordance with Section 15070 of the State CEQA Guidelines it has adopted mitigation measures to reduce or avoid all significant effects.

A Mitigated Negative Declaration (MND) has been certified by the County Planning Commission. This document titled "Clark Avenue Commercial/Orcutt Key Site 4" was distributed to members of the Commission for their review prior to this meeting.

6. Boundaries and Lines of Assessment:

There are no conflicts with lines of assessment or ownership. The property is contiguous to the Districts. The site is uninhabited; namely, there are fewer than 12 registered voters.

The boundaries are definite and certain. If approved by the Commission, staff will not record the annexation until the County Surveyor approves a map sufficient for filing with the State Board of Equalization.

EXHIBITS

- Exhibit A Executed Landowner Consent Form
- Exhibit B Map of the Proposed Reorganization
- Exhibit C Proposed Resolution Approving the Reorganization

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report and any testimony or materials that are presented, the Commission can follow one of the following options:

OPTION 1 – APPROVE the proposal as follows:

- A. Certify your Commission has reviewed and considered the information contained in the Mitigated Negative Declaration.
- B. Adopt this report and approve the proposal, known as Key Site 4 Reorganization: Annexation to County Service Area No. 5 (Orcutt)/Annexation to the North County Lighting District, subject to the condition the territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the Districts.
- C. Find the subject territory is uninhabited, all affected landowners have given written consent and annexing agencies have given written consent to the waiver of conducting authority proceedings.
- D. Waive the conducting authority proceedings and direct the staff to complete the proceeding.

OPTION 2 –Deny the proposal.

OPTION 3 - Continue the proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.

A handwritten signature in cursive script, reading "Bob Braitman", is written over a horizontal line.

BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

April 19, 2013

Bob Braitman
Executive Officer
Santa Barbara LAFCO
105 East Anapamu Street
Santa Barbara CA 93101

Landowner Consent to Annexation

Dear Mr. Braitman:

The undersigned is the owner of record of the following properties:

Assessor Parcel No. 103-750-38

I hereby consent to the annexation of these properties to the North County Lighting District and County Service Area No. 5.

Sincerely,



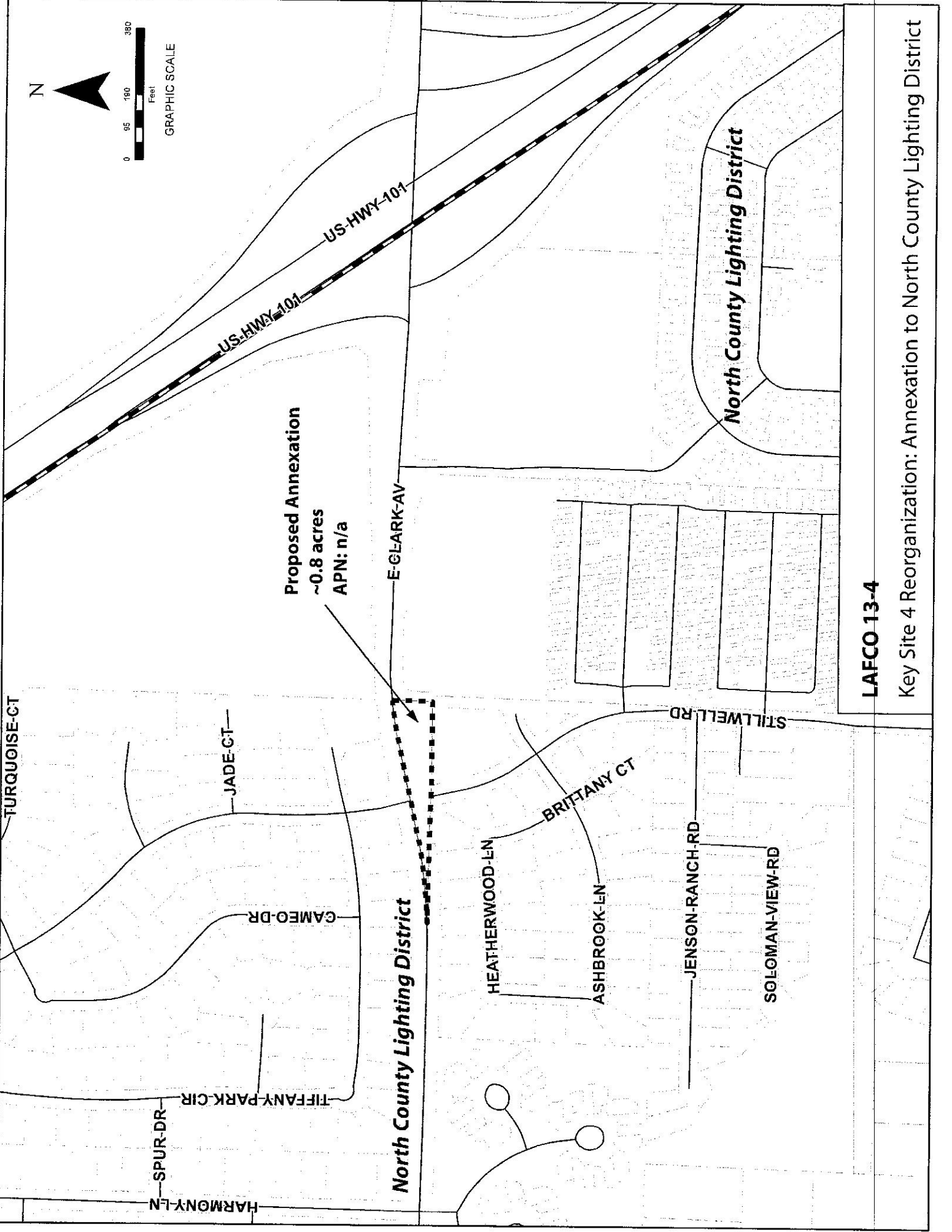
B-3, LLC Owner of Record
Jerry Schmidt, Managing Partner
2520 Profession Parkway
Santa Maria CA 93455



J.F. Will Company, Inc.
John Will, Agent
2640 Industrial Parkway, Suite 100
Santa Maria, CA 93455



GRAPHIC SCALE



Proposed Annexation
~0.8 acres
APN: n/a

North County Lighting District

North County Lighting District

LAFCO 13-4

Key Site 4 Reorganization: Annexation to North County Lighting District

LAFCO 13-4

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE KEY SITE 4
REORGANIZATION: ANNEXATION TO COUNTY SERVICE AREA NO. 5 (ORCUTT)/
ANNEXATION TO NORTH COUNTY LIGHTING DISTRICT

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County.

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

- (1) The County of Santa Barbara is the lead agency. The Commission certifies it has reviewed and considered information contained in the Mitigated Negative Declaration.
- (2) The subject proposal is assigned the distinctive short-form designation:
KEY SITE 4 REORGANIZATION: ANNEXATION TO COUNTY SERVICE
AREA NO. 5 (ORCUTT)/ANNEXATION TO NORTH COUNTY LIGHTING
DISTRICT
- (3) Said territory is found to be uninhabited.
- (4) The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibits A and B, attached hereto and made a part hereof, such description and map shall not be recorded until reviewed and approved by the County Surveyor.

- (5) The proposal is subject to the following terms and conditions:
- (a) The subject territory shall be liable for its pro rata share of the existing bonded indebtedness of County Service Area No. 5 and the North County Lighting District.
- (b) The subject territory shall be liable for all taxes, charges, fees or assessments that are levied on similar properties within the current Districts' boundaries.
- (6) Satisfactory proof having been given that the subject area is uninhabited, all landowners within the affected territory have given their written consent to the proposal and the annexing agencies have given written consent to the waiver of conducting authority proceedings, said conducting authority proceedings are hereby waived.
- (7) All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

This resolution was adopted on June 6, 2013 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair

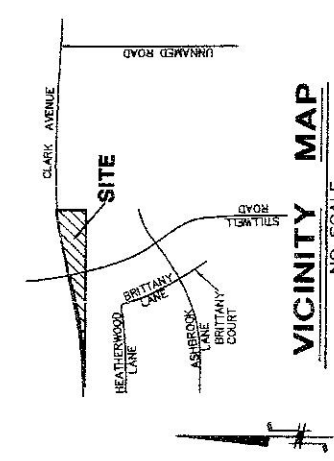
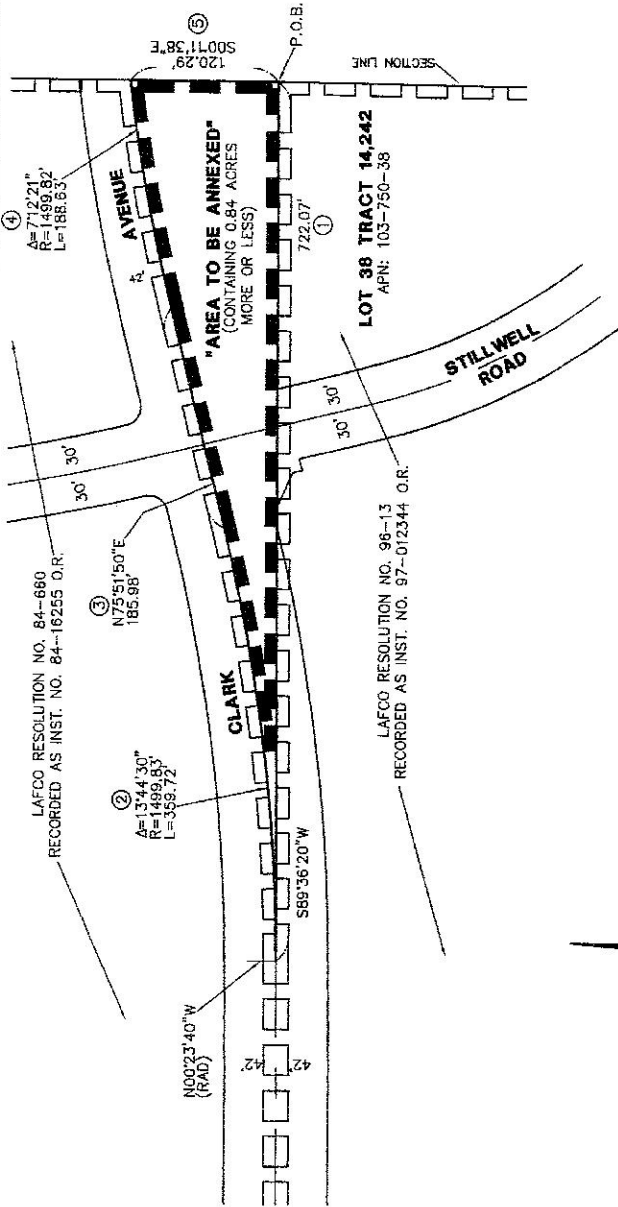
Santa Barbara Local Agency Formation Commission

ATTEST

Mary Everett, Clerk
Santa Barbara Local Agency Formation Commission

LEGEND:

- ① P.O.B.
- LEGAL DESCRIPTION COURSE NUMBER
- POINT OF BEGINNING
- ANNEXATION BOUNDARY LINE
- EXISTING CITY LIMITS LINE



"EXHIBIT B"
KEY SITE 4 REORGANIZATION:
ANNEXATION TO THE NORTH COUNTY LIGHTING
DISTRICT AND COUNTY SERVICE AREA 5

DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 34 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA.

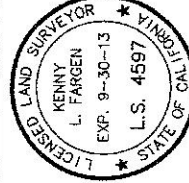
SURVEYORS STATEMENT

I HEREBY STATE THAT THIS ANNEXATION MAP CORRECTLY REPRESENTS A MAP MADE BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8761 OF THE PROFESSIONAL LAND SURVEYORS ACT.

KENNY L. FARGEN L.S. 4597 DATE _____

APPROVED AS TO FORM AND SURVEYING CONTENT

ALEXSANDAR JEVREMOVIC PLS 8378
 SANTA BARBARA COUNTY SURVEYOR DATE _____



2624 AIRPARK DRIVE
 SANTA MARIA, CA 93455
 PHONE: 805-934-5727
 FAX: 805-934-3448
 DATE: MARCH, 2013



JOB: 08071

ANNEXATION MAP.DWG
 SHEET 1 OF 1