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Agenda Item: 6a

Meeting Date: September 3 2020

From: George Williamson AICP, Executive Officer

Subject: Proposed Cemetery District Consolidation and Annexation

The Commission will consider a proposal submitted by resolution of application by the Boards of Trustees of the Anderson and Cottonwood Cemetery Districts for the consolidation of the Anderson-Cottonwood Cemetery District and annexation.

LAFCOs are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) § 56375. LAFCOs are authorized with broad discretion in amending and conditioning changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

BACKGROUND

Proceedings for this consolidation were initiated by resolutions of application by the Board of Trustees of the Anderson and Cottonwood Cemetery Districts. The proposal includes consolidation of approximately 52,196 acres. The proposed district is located in southern Shasta County, and accessed via Interstate 5. (see EXHIBIT A). The proposed consolidation includes the City of Anderson the unincorporated community of Cottonwood and additional unincorporated areas of Shasta County. Public notice of the proposed consolidation was provided by published notice in the Record Searchlight on August 12 2020.

Anderson Cemetery District has two cemeteries within the District: the Main Cemetery, 15-acres in size, located at 2500 Cemetery Road west of State Route 273 and a smaller Pioneer Historic Cemetery located off Barney Road east of State Route 273, both in Anderson. The District provides burial, graveside services, and memorial garden maintenance and accommodates both traditional and cremated burials. This District has been providing burial services and memorial garden maintenance since 1965. As reported in the Countywide Cemetery District Municipal Services Review (MSR), approved by the Commission in April 2019, the cemetery accommodates approximately 50 interments per year and is currently utilizing 12-13 acres of the 15-acre site. An additional acre was purchased to add to the capacity. A Columbarium Garden was constructed on the main cemetery site that can accommodate up to 650 cremated remains in niche burials. The District had a financial deficit in 2019 and was able to meet its expenses by drawing on endowment fund interest.

The Cottonwood Cemetery District has one seven-acre cemetery within the District. The District provides perpetual care, memorial garden and cemetery maintenance services. The District is able to accommodate both traditional and cremated burials. According to the 2019 Countywide Cemetery District MSR, the Cottonwood cemetery accommodates approximately 40-45 interments per year, is currently at about 50 percent of its capacity, and has no plans to purchase additional land.

Reasons for Proposal

The reasons for the consolidation as set forth in the proposal to LAFCO are as follows:

The consolidated district services would include all those services stated above and is anticipated to maintain the same level of service. Communities served by the consolidated district would include Anderson and Cottonwood, and surrounding areas as shown on EXHIBIT A. The two districts are adjacent. During review and processing of this application several parcels along the common boundary were identified as not being in either district. These are included as annex areas to avoid unserved parcels within the proposed boundary.

Consolidation of the districts will provide efficiencies by providing a single entity for district administration and management. This will decrease overhead and management cost and allow for budget savings. The proposed consolidated District is shown on Exhibit A. The Sphere of Influence is coterminous with the consolidated district boundary and annexed areas.

Provision of Public Services

A Plan for Services was prepared by the Cemetery Districts for the proposed consolidated district. As contemplated, the consolidated Anderson-Cottonwood Cemetery District would be responsible for providing burial services and grounds maintenance to the Anderson and Cottonwood Cemeteries, upon consolidation. There would be no change in cemetery services provided.

Land Use Designations

Land uses within the proposed consolidated district are subject to the Shasta County General Plan and Zoning Regulations for the unincorporated areas and the City of Anderson General Plan and Zoning Regulations within city limits.

ANALYSIS

The analysis of the proposal is organized into two sections. The first section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCOs review boundary changes. The second section considers issues required by other applicable State statutes in processing boundary changes, such as environmental compliance with the California Environmental Quality Act.

Required Factors for Review

G.C. § 56668 requires the Commission to consider 16 specific factors anytime it reviews proposals for a change of organization. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process. An evaluation of these factors as it relates to the proposal follows.

1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

The consolidated district and annexed areas, as proposed is approximately 52,196 acres. The current population of the consolidated district is approximately 22,250 residents based on (2010 Census). The consolidated district is expected to experience low growth, approximately 1 percent, over the next 10 years and may accommodate a population of approximately 22,475 by the year 2030.

2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

Pursuant to Government Code § 56653, the Districts prepared a Plan for Services to evaluate the needs of the proposed consolidated district. The need for expanded community services within the affected territory includes cemetery services only. An analysis of the availability and adequacy of these services relative to projected needs of the proposal follows. The Districts have also provided FY 2020-21 budgets showing expenses and revenues for their services. There is an established future need for these services.

Cemetery Services

Interment services and grounds maintenance will be provided by the consolidated District, as described in the Plan for Services accompanying the application. Cemetery practices to follow the adopted District's policies and protocols.

Fire Protection

The proposed consolidated district receives fire protection and emergency response services from County Service Area #1 – Shasta County Fire Department (SCFD), the Anderson Fire Protection District (AFPD), and the Cottonwood Fire Protection District

Law Enforcement

The proposed consolidated district is currently served by the Shasta County Sheriff's Office for the unincorporated areas and the City of Anderson Police Department within city limits. Increase in demand for law enforcement is not expected due to consolidation.

Road Maintenance

No additional requirements for road capacity are anticipated as a result of the consolidation.

3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The consolidation as proposed by the Anderson and Cottonwood Cemetery District Boards of Trustees would consolidate two districts, and with annexation along the common boundary would total 52,196 acres of City of Anderson and County of Shasta lands. The southern boundary follows the Shasta and Tehama County boundary.

4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The statutory goals of the LAFCO include the promotion of orderly growth and development by determining logical local boundaries [§56001], the preservation of open space by encouraging development of vacant land within cities before annexation of vacant land adjacent to cities [§56377(b)], and the preservation of prime agricultural land by guiding development away from presently undeveloped prime agricultural lands [§56377(a)]. The proposed uses that would be accommodated in the consolidated district comply with the statutory goals discussed above.

5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

Due to some agricultural lands in the district, it is expected that some of the territory is subject to a Williamson Act Contract. The consolidation is not expected to have an adverse impact on the agricultural lands in the district.

6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

A map and geographic description will be required prior to filing a certificate of completion for the consolidation. The proposed consolidated district boundary follows existing outside district boundaries. Also, the proposed consolidated district includes annexation of territory so as not to create islands or corridors of unincorporated territory.

7) A regional transportation plan adopted pursuant to G.C. Section 65080.

The Shasta County Regional Transportation Plan (RTP) was updated in 2018 by the Shasta Regional Transportation Agency (SRTA) and is a long-range transportation planning document for Shasta County. As part of the RTP, SRTA developed a Sustainable Communities Strategy (SCS) as required under California Senate Bill 375, the Sustainable Communities and Climate Protection Act of 2008 (SB 375) - addressing how the RTP will meet the region's greenhouse gas (GHG) emissions reduction targets.

8) Consistency with city or county general and specific plans.

Land uses within the proposed consolidated district include a mix of commercial, public facility, industrial, residential and open space in the City of Anderson as designated in the City General Plan. In the unincorporated area, there is a mix of commercial, public facility, industrial, residential and open space in the Community of Cottonwood and mineral resource, agricultural rural residential and habitat resource outside the Cottonwood Community as designated in the Shasta County General Plan. In addition, there are large industrial areas in the unincorporated area along Hwy 273 North of Anderson and east of I-5 south of Anderson. The consolidation does not require general plan or zoning amendments and land use is expected to remain consistent with county and city plans.

9) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The proposed consolidated district and annexation areas are located within the Anderson and Cottonwood Cemetery District's Spheres of Influence (SOI), which was reaffirmed by the Commission in the Countywide Cemetery District Municipal Services Review and SOI Update approved in 2019. The City of Anderson SOI covers a portion of the District. These SOIs are not proposed to change due to this proposal.

10) The comments of any affected local agency or other public agency.

The Districts provided notice to interested and subject agencies of its intent to adopt resolutions of application, pursuant to GC Section 56654(c). Shasta LAFCO provided a notice of application filing to affected agencies and received no comments. Shasta LAFCO also prepared and released a Certificate of Filing, setting the Commission hearing date to local agencies. A hearing notice of the proposed

consolidation was published in the Record Searchlight August 12 2020 and posted on the LAFCO website and Cottonwood Cemetery District website.

11) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

According to the Plan for Services, operating costs for the merged district are anticipated to be less than for the two separate districts, due to shared administration and accounting practices. Both Anderson and Cottonwood Cemetery Districts have prepared FY 2020-21 Budgets, which are on file at the Shasta County Auditor's Office. These budgets document the sufficiency of revenues to cover cemetery services expenses and will be combined following the proposed boundary change.

Tax revenues will be allocated to the consolidated district per the Shasta County Board of Supervisors Tax Revenue Sharing Agreement and annexed areas passed by Resolution 20-071 on July 21 2020. There are also contingency (endowment) funds for both Districts that will be allocated to the consolidated District.

12) Timely availability of water supplies adequate for projected needs as specified in G.C. § 65352.5.

Water supplies are limited to irrigation and administrative uses at the cemeteries. No capacity limitations have been identified and the need to increase system capacity as a result of the proposed consolidation is not anticipated.

13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with § 65580) of Chapter 3 of Division 1 of Title 7.

The proposal would not impact any local agencies in accommodating their regional housing needs. The City of Anderson and County of Shasta General Plan Housing Elements address how those agencies fair will meet their regional housing needs allocations. There are currently no residential designations or development plans for the proposed consolidated district area.

14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

Notice for the proposed consolidated district was published in the newspaper of general circulation, the Record Searchlight, and posted on the Shasta LAFCO and Anderson Cemetery District websites, no comments were received.

15) Any information relating to existing land use designations.

See discussion in Section 8.

16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.

The proposal will not result in inconsistencies with environmental justice safeguards. The consolidated district will result in continued public services for residents. Residents within the consolidated district will have expanded internment choices without incurring non-resident burial fees.

Other Considerations

Environmental Review

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by LAFCO and to comply with the California Environmental Quality Act (CEQA) Guidelines found in Public Resources Code Section 210000 et seq. It has been determined that this project is statutorily exempt from CEQA pursuant to Section 15262 – Feasibilities & Planning Studies and categorically exempt pursuant to Section 15306 – Information Collection. The Commission has prepared a Notice of Exemption as provided under CEQA Guidelines for the Anderson and Cottonwood Cemetery Districts for this change of organization including consolidation of districts and annexation and makes a specific determination that this environmental determination adequately addresses proposed changes.

Municipal Service Review and Sphere of Influence Update

The Countywide Cemetery District MSR approved by the Commission in April 2019 reflects the Anderson and Cottonwood District’s ability to serve the affected territory, and the updating of the Sphere of Influence to cover both Districts, and annexed territory.

Tax Revenue Sharing Agreement

The Shasta County Board of Supervisors passed a Tax Revenue Sharing Agreement and the Districts have agreed, for the consolidated district and annexed areas by Resolution 20-071 on July 21 2020.

Conducting Authority Proceedings

All proposed boundary changes approved by the Commission are subject to conducting authority proceedings (i.e., protest hearing) unless waived in accordance with criteria outlined under G.C. Section 56663. The proposal is not subject to conducting authority proceedings under G.C. Section 56663 unless written opposition is received from landowners or registered voters within the affected territory prior to the conclusion of the Commission’s proceedings on the proposal.

B. RECOMMENDATION

Staff Recommends that the Commission conduct a public hearing on the proposed consolidation of the Anderson and Cottonwood Cemetery Districts and annexation of territory by:

- Receiving a staff report
- Opening the Public Hearing and receiving testimony
- Closing the hearing and discussing the proposal
- Approve the consolidation of the Districts and annexation, pursuant to the findings and determinations contained in this staff report, by adopting Resolution 20-07 with conditions:

- Exhibit A: Boundary Map
- Exhibit B: Shasta County Board of Supervisors Resolution 20-017
- Exhibit C: CEQA Notice of Exemption
- Exhibit D – Resolution 20-07