

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

March 6, 2008 (Agenda)  
*Continued from November 1, 2007*

Revised Staff Report

LAFCO 07-16: Dos Pueblos Ranch Annexation to the Goleta Water District

PROPONENT: Board of Directors, by resolution.

ACREAGE &  
LOCATION The recommended annexation consists of approximately 70 acres extending inland from the Pacific Ocean and westerly of Eagle Canyon Creek, and including the adjacent portion of the Southern Pacific Railroad.

The initial proposal noticed for the November 1, 2007 meeting included about 131 acres between Highway 101 and the Pacific Ocean extending west from Eagle Canyon Creek. It included some of the Naples parcels but these are not included in the recommended annexation.

PURPOSE: Make the property available to receive water services from the District.

GENERAL ANALYSIS:

Description of Project

On September 2, 1998 the Commission approved the annexation of this property to the District. The proposed use at that time was a golf course. Although the Commission twice extended the time to complete the annexation, that proceeding lapsed and was abandoned.

Based on current plans and zoning for the property, permitted uses are agriculture, greenhouses and other structures incidental to the allowable uses in the AG-II-100 zoning. Similar to other properties in this area, the use of the site for productive, commercial agriculture will require a supply of irrigation water from the District.

A proposal to allow a single-family dwelling unit and related uses on the lot within the annexation area is pending with the County.

Staff Evaluation

Opposition to the annexation that has been expressed by several citizens and two legal firms – Shute, Mihaly and Weinberger LLP on behalf of the Surfrider Foundation and Marc Chytilo on behalf of the Gaviota Coast Conservancy. Their correspondence was received by the Commission at the November 1, 2007 meeting.

We have reviewed that correspondence and are responding to two issues that were raised.

- Annexation includes 26 parcels

The October 31 letter from Ellison Folk (Shute, Mihaly and Weinberger) notes, "Most importantly, however, the proposed annexation includes not two small parcels, but actually includes 26 parcels." and it is proposed to merge these lots and construct 10 new homes.

In response to this situation, which results from the District submitting the 1998 map with this annexation, the LAFCO staff submitted a revised recommendation to the Commission on November 1, as follows:

Adopt this report and approve the proposal known as the Dos Pueblos Ranch Annexation to the Goleta Water District consisting solely of Assessor Parcel Number 079200-004 and a portion of APN 079-010-009 (Union Pacific Railroad), and .

Deny the remainder of the proposal consisting of Assessor Parcel Numbers 079-180-010, 079-180-048, 079-180-049, 079-180-050, 079-180-052, 079-180-053, 079-180-058, 079-180-059, 079-180-060, 079-180-061, 079-180-062, 079-180-063, 079-180-064, 079-180-068, 079-180-072.

Consequently, the antiquated lots in the Naples subdivision are not recommended for inclusion in this annexation. The notice for the March 6 hearing includes only APN 079-200-004 and the adjacent portion of the railroad.

- Annexation is premature and violates LAFCO policy

The November 1, 2007 letter from Marc Chytilo notes, "Because many hurdles must be crossed before development of the Makar property can even begin, urban development is not 'imminent' LAFCO's approval of the annexation at this early stage is premature and violates LAFCO policy."

In response staff notes that the Goleta Water District provides both domestic and agricultural water. Presently the District provides agricultural water to many parcels both north and west of the proposed annexation.

As noted earlier, the County designates the proposed annexation area for agriculture, so the annexation, rather than violating LAFCO policy, can be seen as being supportive of LAFCO's interest in promoting productive and successful agriculture.

The County is considering a proposal to construct a home and related uses on the annexation site but the annexation is justified regardless of whether the County approves the request. For this reason – annexation is justified based on the agricultural designation - the staff does not support the notion that the Commission should defer its decision on the annexation until the County determines whether the home will be permitted. The justification for annexation is not dependent upon a future County decision on the residential use of a portion of the site.

### Project Information

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

The former oil and gas facility has been abandoned, removed and mostly remediated. Currently the site consists primarily of non-native grassland with stands of eucalyptus and cypress trees.

The Coastal Land Use Plan (CLUP) and County zoning designate the area Agricultural II (land use) and AG-II-100 (zoning). No zone changes are proposed. Intended uses – both agriculture and the possible home - are in conformance with the existing zoning.

The property is within the sphere of influence of the annexing district.

Surrounding land uses are rural residential to the east, agriculture to the west, Highway 101 and agriculture to the north and the Pacific Ocean to the south.

2. Topography, Natural Features and Drainage Basins

The generally level site is elevated 70 feet above the Pacific Ocean with natural drainage areas running through to the ocean. The topography of surrounding parcels is similar. There are no significant natural boundaries affecting the proposal.

3. Population:

There are no dwelling units on the site. The potential construction of two dwelling units and related structures may result of the property is annexed to the District.

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

The annexing district will provide water services. A "Plan for Providing Services within the Affected Territory" is enclosed as required by Government Code section 56653.

5. Environmental Impact of the Proposal:

The proposal has been found to be categorically exempt. (Class 19 - Annexation of Existing Facilities and Lots for Exempt Facilities). The property is parcelized to the extent permitted by the current zoning.

We earlier provided members of the Commission with the Final EIR and addendum to the Final EIR for the Dos Pueblos Golf Links project as an informational document.

The District may need to prepare a document to comply with CEQA when a water line is designed to extend water to the property but that issue is not before the Commission.

The County may need to prepare a document to comply with CEQA when it approves the construction of homes on the property but that issue is not before the Commission.

6. Landowner Consent, Subject Agency Consent and Registered Voters:

The property owner has given written consent to the annexation. The annexing agency consents to the waiver of conducting authority proceedings. The territory is uninhabited; namely, there are fewer than 12 registered voters.

7. Boundaries and Lines of Assessment:

The property is contiguous to the annexing district. 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 not yet been received from the proponent.

8. Assessed Value, Tax Rates and Indebtedness:

The proposal is presently within Tax Rate Area 66072. The overall tax rate will not be affected by this change. The FY 2007-08 assessed value of the revised boundary is \$1,919,864.

ALTERNATIVES FOR COMMISSION ACTION

Following review of any testimony and materials that are submitted, the Commission should consider the following options:

OPTION 1 – APPROVE the proposal.

- A. Find the proposal to be categorically exempt.
- B. Adopt this report and approve the proposal to be known as the Dos Pueblos Ranch Annexation to the Goleta Water District.
- C. Find: 1) the subject territory is uninhabited, 2) all affected landowners have given written consent to the annexation and 3) the annexing agency has 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 – Adopt this report and DENY the proposal:

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

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Executive Officer  
LOCAL AGENCY FORMATION COMMISSION