

LAFCO 21-08

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE OAK HILLS
ESTATES REORGANIZATION INVOLVING AMENDMENT OF THE SPHERES OF
INFLUENCE AND ANNEXATIONS TO COUNTY SERVICE AREA 4 AND 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, on May 7, 2021, the Executive Officer issued a Certificate of Filing regarding LAFCO Application No. 19-02. The application proposes annexation of the property known as the Oak Hill Estates to County Service Area No. 4 (Annexation No. 24) and annexation to the North County Lighting District (Annexation No. 35); 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, a staff report was prepared, and the public hearing was duly conducted under the Covid-19 modified meetings laws; 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 Commission has considered all factors required to be considered by Government Code Sections 56668 et seq.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Commission as follows:

- (1) The Commission certifies it has considered EIR #17EIR-00000-00001 as prepared and certified by the County of Santa Barbara and directs staff to file a Notice of Determination pursuant to California Environmental Quality Act ("CEQA") Guidelines section 15096(i);
- (2) Acting as a Responsible Agency under CEQA and pursuant to CEQA Guidelines

Sections 15091 and 15093, the Commission adopts the findings and statement of overriding consideration set forth in Exhibit A;

(3) The Commissions written determination pursuant to Government Code Section 56425(e) (1-5) include:

a) Present and planned land uses in the area, including agriculture, and open space lands:

The present and planned uses for this Sphere of Influence Amendment are consistent with the County's General Plan, Tract Map and development plan approved by the County. The plan for providing services for this area include services from the Vandenberg Village CSD for primary services. The County's approval included the condition for annexation into both districts for street lighting, park and open space services. Overall, the County's General Plan clearly identifies community goals, objectives, policies and standards. The policy document and development approval provide for the logical and orderly growth of the Oak Hills Estates. The annexation contains no agricultural resources, one common area open space lot consisting of 9.45 acres.

b) Present and probable need for public facilities and services in the area:

The present need for public services in the proposed SOI area consist of services for build-out of the 29-lot subdivision. Water and sewer services would be provided by Vandenberg Village Community Services District. Fire would be provided County Fire Protection District. The tract map already resides within these other services provider boundaries. The Environmental Impact Report cited an Open Space Management Plan and HOA Managed Landscape/Habitat Plan are designed to preserve and maintain the open space areas which specify requirements for fire safety, habitat management, and landscaping (CSA No. 4). Lighting requirements in the Oak Hills Estate Design Guidelines and County standards would ensure compliance with all lighting and maintenance standards (North County Lighting).

c) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide:

Operation and maintenance of private open space facilities will be paid for and managed by the HOA. Operation and maintenance for public facilities will be managed by public agency. These public open space and park related services will be managed by the County Community Services Department – Parks Division through County Service Area No. 4 and funded by property tax. The project would result in an addition of lighting in the project vicinity due to outdoor street lights and residential lighting. All outdoor lighting would be necessary for security and wayfinding purposes and would be installed in accordance with County regulations. Public streetlighting services will be managed by the County Public Works Department through the Santa Barbara North County Lighting District and funded by property tax and zone of benefit assessments.

d) Existence of social or economic communities of interest in the area if the Commission determines that they are relevant to the agency:

The Sphere of Influence areas for CSA No. 4 and North County Lighting are linked to the Vandenberg Village social and economic communities of interest. Residential development is proposed in the Sphere amendment and the various Districts provide places for shopping and services for the people living in the area. Areas to recreate, schools, places of worship and cultural events would also be available to the areas in the Sphere of Influence that include residential development. The districts may also gain property tax or assessment advantages with the annexation.

e) Present and probable need for public facilities and services of Disadvantage Unincorporated Communities:

The Vandenberg Village area has a variety of economic diversity within the community and surrounding area including within or adjacent to the Sphere of Influence. A Disadvantaged Unincorporated Community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This amendment of the Sphere of Influence is currently vacant land. The surrounding community of Vandenberg Village has a median household income of \$91,618 as of 2019. This does not qualify as a disadvantage unincorporated community for the present and probable need for public facilities and services.


- (4) The proposal is found to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County;
- (5) The County Service Area No. 4 and North County Lighting District's spheres of influence are revised to include the property known as Oak Hills Estates Tract Map 14,810 as set forth in Exhibits B & C;
- (6) The subject proposal is assigned the distinctive short-form designation:
Oak Hills Estates Reorganization;
- (7) Said territory is found to be uninhabited;
- (8) The boundaries of the affected territory as revised are found to be definite and certain as set forth in Exhibits D and E, attached hereto and made a part hereof, subject to the condition that prior to the Executive Officer executing and recording the Certificate of Completion, the proponent shall obtain the County Surveyor's final approval of the legal description and map and submit such approval to the Executive Office.
- (9) All affected landowners have given written consent to the annexations and the annexing agencies have consented to waive conducting authority proceedings.
- (10) The conducting authority proceedings are waived and staff is directed to complete the proceedings, subject to compliance with all conditions of this Resolution;
- (11) All subsequent proceedings in connection with this reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this Resolution.

- (12) The Sphere of Influence amendments and reorganization shall become final upon the recordation of the Certificate of Completion.

This resolution is hereby adopted this 3rd day of June, 2021 in Santa Barbara, California.

AYES: Commissioner Aceves, Freeman, Geyer, Hartmann, Lavagnino, Stark and Waterfield
NOES: None
ABSTAIN: None

Santa Barbara County Local Agency
Formation Commission

By: 
Etta Waterfield, Chair
Date: 6/3/2021

ATTEST:



Jacquelyne Alexander, Clerk
Santa Barbara County
Local Agency Formation Commission

EXHIBIT A

STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR (17EIR-00000-00001) for the Oak Hills Estate project identify three (3) environmental impacts that cannot be fully mitigated and are therefore considered significant and unavoidable impacts after all feasible mitigation measures of the project are incorporated. The significant and unavoidable impacts are associated with the project's effects on visual resources in the following areas:

1. Significant and unavoidable aesthetic impacts would result from adverse changes to the visual character of the project site resulting from grading, vegetation removal and construction; scenic quality impacts to views from the Burton Mesa Ecological Reserve and other off-site locations; and cumulative aesthetic impacts. Mitigation to reduce these impacts include requirements for the implementation of approved project-specific design guidelines and an approved open space management plan, and NBAR review of future residential development on the project site. No other measures are known that would further reduce the identified aesthetic impacts of the project.

The following mitigations have been implemented in the EIR to reduce the impact to the maximum extent feasible:

Mitigation Measure AES-1: Design Guidelines and Open Space Management Plan Revisions. The proposed Oak Hills Estate Design Guidelines and Open Space Management Plan shall be revised to address the review comments provided in the Oak Hills Estate Project – Peer Review of Open Space Management Plan (RECON 2016a, Appendix D-2) and Oak Hills Estate Project – Peer Review of Design Guidelines (RECON 2016b, Appendix C-2). These revisions address tree protection during grading; the preparation of separate on-site and off-site restoration and management plans for habitat restoration; landscape design; a native habitat planting list; invasive species control; the location and design of proposed fuel management zones; and overall site design. The Guidelines and Plan shall also incorporate review comments that may be provided by the NBAR. The purpose of the required revisions is to ensure that the design, scale, character, heights, colors, and materials used in residential lots and drainage swales, trails, project entries, and landscaping of common open space areas are compatible with existing surrounding development.

Plan Requirements and Timing: The amended Oak Hills Estate Design Guidelines and Open Space Management Plan shall be reviewed and approved by the County prior to final map recordation and will be included in the Covenants, Conditions, and Restrictions.

Monitoring: The Owner/Applicant shall demonstrate to Planning & Development compliance monitoring staff that the project has been built consistent with the County approved amended Oak Hills Estate Design Guidelines and Open Space Management Plan.

Mitigation Measure AES-2: NBAR Design Review. The Owner/Applicant shall demonstrate that future development on the project site is consistent with the Amended Oak Hills Estate Design Guidelines and obtain NBAR approval of the development on the project site. All project elements (e.g., future residence design, scale, character, colors,

EXHIBIT A

materials and landscaping of common open areas, the proposed trail and storm water detention basins) shall be compatible with vicinity development.

Timing: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final NBAR approval prior to zone clearance for each proposed residence. Grading plans shall be submitted to P&D concurrent with or prior to NBAR plan filing.

Monitoring: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved NBAR design and landscape plans prior to Final Building Inspection Clearance.

EXHIBIT A

FINDINGS OF FACTS

The Commission does hereby make the following written findings and statements of overriding considerations regarding the adverse and unavoidable environmental effects identified in the Environmental Documentation:

1. The Commission, acting as a Responsible Agency, hereby finds that, for the reasons set forth below, the economic, social, and other considerations of the proposal outweigh the unavoidable impacts relating to Aesthetic, identified in the findings.
 - a. The project will provide 29 new single-family residences that will increase housing opportunities in the County. In addition, the project will be required to pay in-lieu housing fees that will assist in the development of affordable housing in the County, and the project will not affect the ability of the County to meet its current Regional Housing Need Allocation.
 - b. The project will provide new infill development on a parcel designated for residential development by the Comprehensive Plan. The proposed infill development provides housing that is near commercial and transit services, which reduce project-related vehicle miles travelled and associated emissions of criteria pollutants and greenhouse gases.
 - d. The project will make a contribution of \$50,000 to the Vandenberg Village Park & Playground Coalition. The contribution will help to facilitate the development of a playground in Vandenberg Village.
 - e. The project will conduct habitat restoration activities within the stream channel located on the central portion of the project site. This restoration is not required to mitigate impacts of the project and will enhance the biological habitat value of the channel.
 - f. The project will mitigate impacts to on-site sensitive plants, oak trees and habitat on the Burton Mesa Ecological Reserve. This site was identified by the California Department of Fish and Wildlife and will restore areas of the Reserve that were disturbed by previous farming activities.
 - g. The project will mitigate impacts to oak trees by planting and maintaining 45 (23 15-gallon and 22 24-inch box) oak trees on a 123-acre property owned by the Vandenberg Village Community Services Department (VVCSD). The trees planted at this site would partially mitigate project-related oak tree impacts and would also enhance the appearance of the VVCSD property.
 - h. The project includes design guidelines that prescribe architectural and landscape standards that will promote compatibility with the residential neighborhoods adjacent to the project site.
 - i. The project has been designed to provide open area buffers adjacent to the Burton Mesa Ecological Reserve, which will minimize the potential for future direct and indirect conflicts with the Reserve.
 - j. Roadways that would be developed on the project site would be private roads maintained by the project's Homeowners Association. The maintenance of the roadways will not be dependent upon public funds.

EXHIBIT A

- k. The project would correct drainage and erosion impacts that are occurring on the project site, which has resulted in the creation of a deeply eroded channel on the project site and resulting in off-site sedimentation impacts.
2. The proposed project has been planned for by the County in its General Plan and is consistent with the County's goals and policies for development of the property. As required by the County, Oak Hills Estates contains policies and standards that will facilitate appropriate development of land, protection of open space, and provisions of adequate public facilities consistent with the County's Land Use and Circulation Element and the Housing and Transportation objectives.
3. The proposed project allows for the provision of adequate, cost-efficient and reliable public services to the proposed area.
4. LAFCO establishes Spheres of Influence which identifies areas of possible future development and encourages opportunities for logical development. The SOI was amended to allow for Annexation and provides the opportunity for creating needed housing, setting aside open space and contributing by paying in-lieu housing fees that will assist in the development of affordable housing in the County.
5. LAFCO has reviewed and considered the Statement of Overriding Considerations approved by the County of Santa Barbara and the evidence that supports that Statement as set forth in the Environmental Documentation and has concluded that any adverse environmental effects of the project are outweighed by the benefits of the project.
6. The Environmental Documentation as incorporated by reference and other written materials presented to and prepared by the LAFCO show that the Project would result in benefits as set forth in this Statement of Overriding Considerations.
7. Annexation and development of these properties are a logical and planned expansion of the County Service Area No.4 and North County Lighting District.
8. The project designates (9.45 acres in open space) of the property to parks/open space.
9. The County has approved a Development Plan, Environmental Impact Report (EIR) to identify the impacts of a development project proposed for the property. The Plan and Environmental Documentation provides specific mitigation for the identified impacts and is consistent with the County's General Plan policies and procedures. Mitigation and Conditions of Approval have been adopted by the County.



EXHIBIT B

Proposed SOI Amendment
APN: 097-371-010
16.88 ± acres

County Service Area No. 4

Titan Av

Stanford Ci

Galaxy Wy

Aldebaran Av

Oak Hill Dr

Dora Dr

Greenbrier Rd

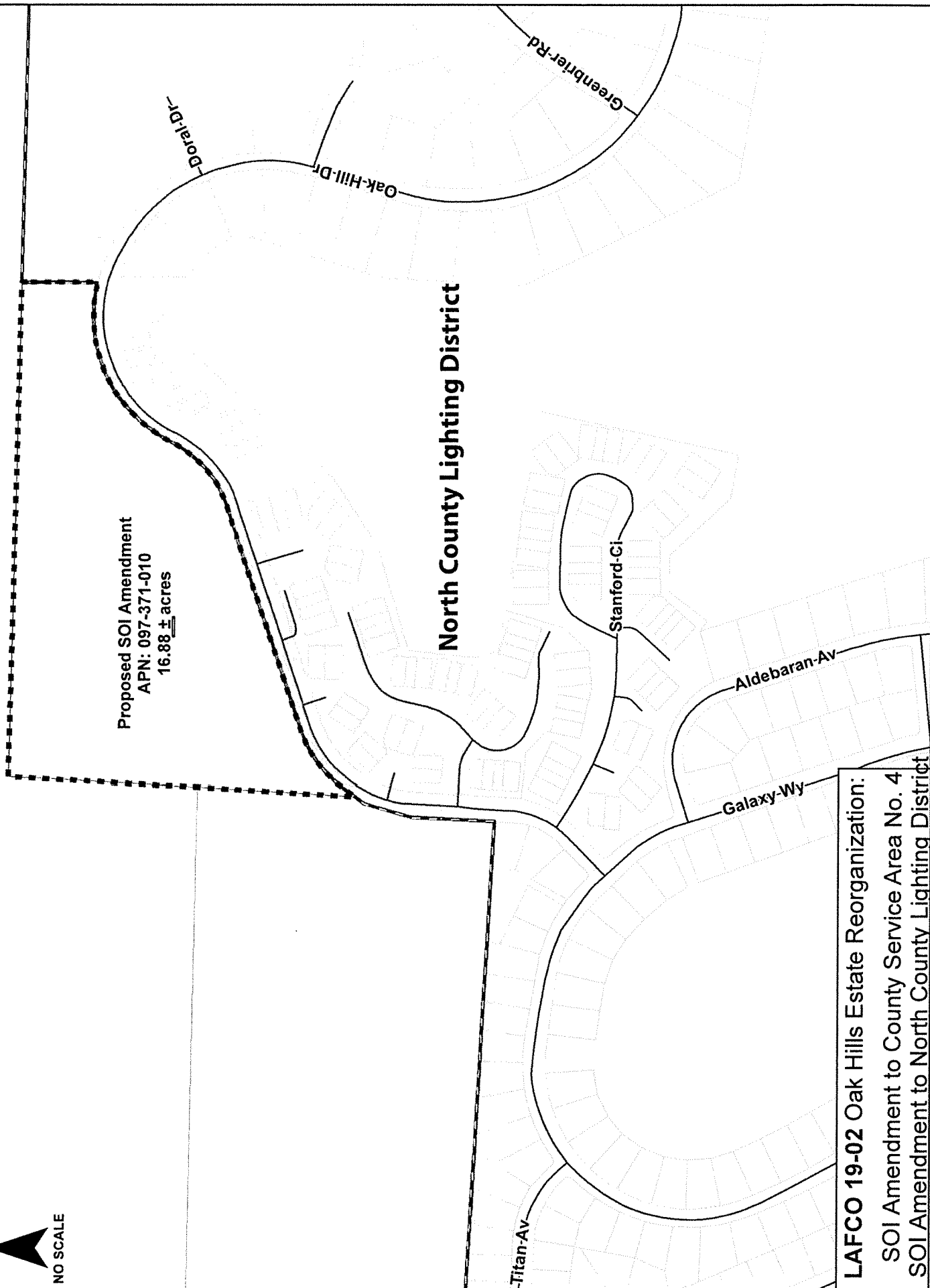
- LAFCO 19-02 Oak Hills Estate Reorganization:**
- SOI Amendment to County Service Area No. 4
 - SOI Amendment to North County Lighting District



EXHIBIT C

Proposed SOI Amendment
APN: 097-371-010
16.88 ± acres

North County Lighting District



LAFCO 19-02 Oak Hills Estate Reorganization:
SOI Amendment to County Service Area No. 4
SOI Amendment to North County Lighting District

19-2

LAFCO _____
TRACT 14,810 ANNEXATION:
Annexation to County Service Area 4

**Exhibit A
Legal Description**

The residual parcel as shown on Tract Map 12,278 recorded in Book 93 at pages 26 through 28 of Maps in the County of Santa Barbara, State of California more particularly described as follows:

Beginning at the northeast corner of said residual parcel, also being the most northwesterly corner of the CSA 4 Annexation No. 23 per County Resolution No. 76-0635 recorded as Instrument No. 1977-0001514 of Official Records on January 11, 1977;

Thence 1) southerly along the westerly line of said Annexation No. 23, South 00 degrees 00 minutes 00 seconds East, 210.16 feet to the beginning of a curve concave southerly having a radial bearing of North 15 degrees 56 minutes 51 seconds East and a radius of 380.00 feet;

Thence 2) westerly along said CSA 4 Annexation No. 23 and said curve through a central angle of 80 degrees 39 minutes 05 seconds and an arc length of 534.90 feet to the beginning of a tangent curve concave northerly with a radius of 300.00 feet;

Thence 3) westerly along said CSA 4 Annexation No. 23 and said curve through a central angle of 45 degrees 00 minutes 49 seconds and an arc length of 235.69 feet to the northwesterly corner of said CSA 4 Annexation No. 23, said point also being the northeasterly corner of CSA 4 Annexation No. 21 per LAFCO Resolution No. 74-739 dated September 26, 1974;

Thence 4) westerly along said CSA 4 Annexation No. 21 South 70 degrees 17 minutes 45 seconds West, 628.56 feet to the beginning of a tangent curve concave southerly with a radius of 350.00 feet;

Thence 5) westerly along said curve through a central angle of 40 degrees 32 minutes 34 seconds and an arc length of 247.66 feet;

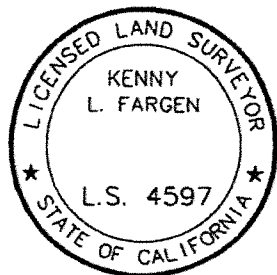
Thence 6) leaving said CSA 4 Annexation No. 21, North 02 degrees 00 minutes 00 seconds East, 935.83;

Thence 7) South 89 degrees 59 minutes 47 seconds East, 1363.07 feet to the True Point of Beginning;

Described land containing 16.88 acres, more or less.

(See attached exhibit map made a part hereof)

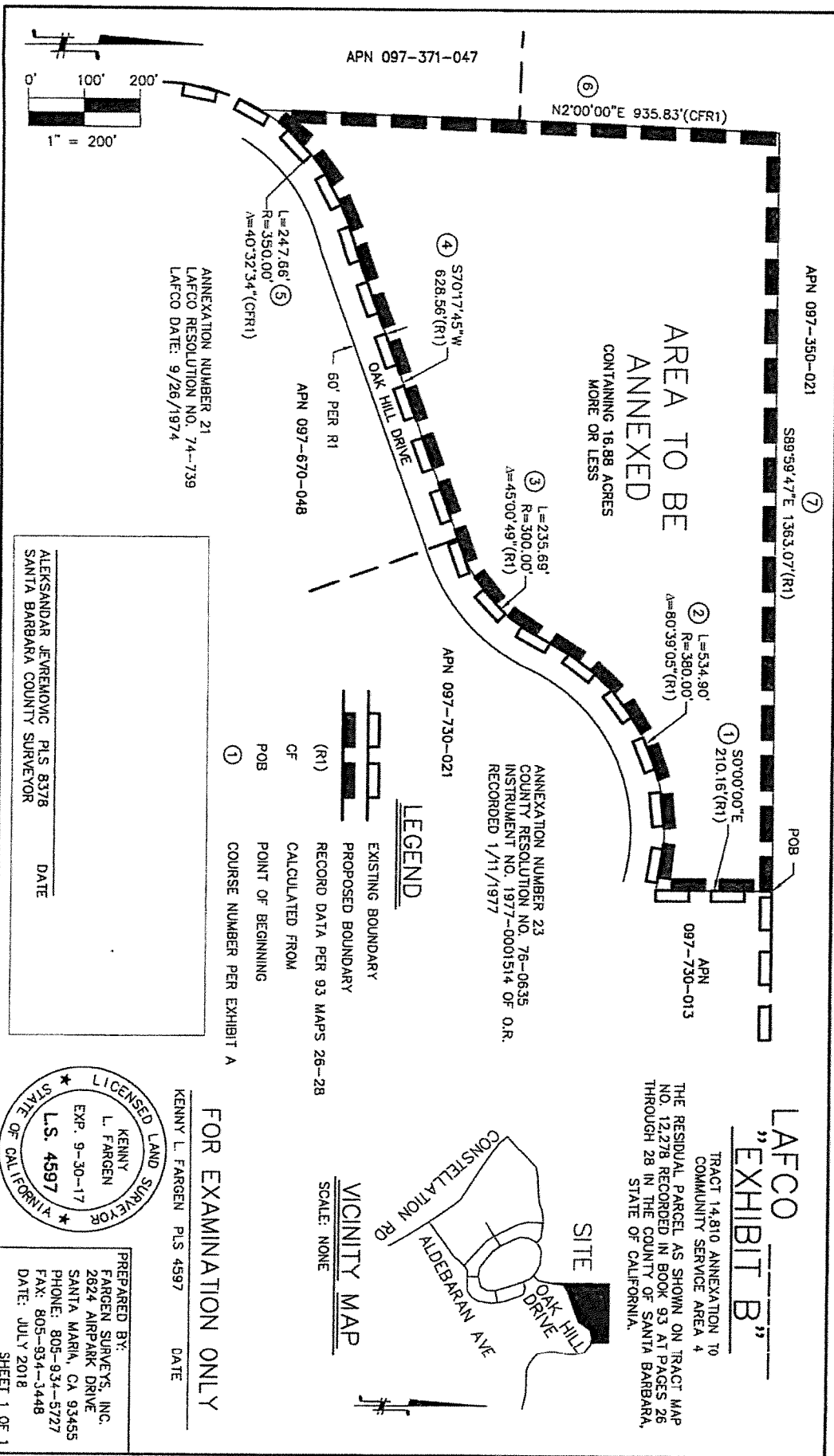
Kenny L. Fargen L.S. 4597 _____ date



Surveyors statement

"This legal description was prepared as an Annexation Exhibit and is not intended for use in the division and/or conveyance of real property as governed by the Subdivision Map Act of the State of California".

"This description was prepared from record data and is for assessment purposes only. The project boundary is intended to form a closed figure. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described".



ALEXSANDAR JEVREMOVIC PLS 8378
SANTA BARBARA COUNTY SURVEYOR

DATE

SHEET 1 OF 1