

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

October 11, 2018 (Agenda)

LAFCO 18-03 La Cumbre Mutual Water Company Sphere of Influence Revision and Annexation to the Goleta Sanitary District

PROPONENT: Property Owners, by Petition of Application

ACREAGE &
LOCATION

The area to be proposed to be included in the sphere of influence and annexation consists of five parcels comprising approximately 8.35 acres. The proposal is adjacent to portions of the following roads: Vieja Drive on the North, Via Tranquilla on the east, and Via Trepadora on the portion to the West. The proposal is located within an unincorporated area of the County of Santa Barbara lying south-westerly of the City of Santa Barbara. **(Exhibits A and B)**

PURPOSE: The purpose of the proposal is to annex the La Cumbre Mutual Water Company (LCMWC) headquarters so that a sewer main can be extended and to abandon an on-site septic system that is located within the buffer zone relative to a drinking water reservoir. The State Water Resources Control Board (SWRCB) has determined that the on-site reservoir cannot meet State drinking water regulations unless the existing septic system is abandoned and the site is connected to a public wastewater system **(Exhibit C)**. Three of the five parcels in between the Goleta Sanitary District boundaries, including the water company headquarters, are developed. Two are currently vacant. The addition parcels are included to make the annexation contiguous to the Goleta Sanitary District boundaries.

GENERAL ANALYSIS:

1. Background:

The existing LCMWC on-site wastewater treatment system (OWTS), or a new or replacement septic system, cannot meet State Water Resources Control Board Drinking Water Division drinking water regulation Article 6, (b), (12), (C), which requires that a water reservoir must be at least 100 horizontal feet from any wastewater system. The SWRCB OWTS Policy Section 7.5.5 (also adopted by County Environmental Health Services (EHS)) also requires a 200-foot separation of OWTS from a water reservoir. Therefore, the 1.97-acre LCMWC parcel cannot locate a new or replacement OWTS that is in compliance with these regulations. This

situation can only be remedied by connection to an extension of Goleta Sanitary District sewer main, thereby avoiding potential contamination of Hope Ranch residents water supply.

Description of Project

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

Land uses with the proposal area are improved residential, vacant residential and home owner's association facilities and potable water storage facilities.

No changes in land use would result from nor be facilitated by the proposed boundary change. The parcels are large enough in area to be served by existing or future septic systems, but are too small to be further subdivided with current zoning of 1.5-acre minimum parcel size.

County of Santa Barbara zoning designation is "1.5 EX-1" (One Family Exclusive Residential, 1.5-acre minimum parcel size).

No proposed change in zoning for the proposal area. The existing uses conform with the zoning.

2. Sphere of Influence:

The proposal area is outside the Goleta Sanitary District's Sphere of Influence. Including the LMWD headquarters and the four intervening parcels in the sphere of influence and annexation will make area contiguous to the district boundaries.

3. Environmental Justice:

Annexation will have no effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.

4. Regional Housing Needs:

There would be no change in Regional Housing Needs as a result of this proposal.

5. Topography, Natural Features and Drainage Basins

The general topography of the proposal parcels is gently sloping (20% or less slope) undulating hillside and valley lands.

The general topography of the area surrounding the proposal is also gently sloping (20% or less slope), undulating hillside and valley lands to the east, west and south, and moderately level topography to the north.

6. Population:

There are three existing residences on the 8.35-acre annexation area. Assuming 3.5 residents per dwelling unit, there are less than 12 registered voters making the property legally uninhabited.

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

Upon annexation, the Goleta Sanitary District would provide and sanitary sewer service to the La Cumbre Mutual Water Company headquarters parcel. The three existing residences and the two vacant parcels could also connect the district's sewer line. Each of the properties will receive the same level and range of service from the Goleta Sanitary District as other properties currently served by the district. Other services would continue to be provided by the County of Santa Barbara and special districts. There will be no changes in the level of service provided by these agencies.

There will be a 1,200 linear foot extension of a new 8" sewer main to be installed in Via Tranquila. The La Cumbre Mutual Water Company will finance the capital improvement installation of the sewer main extension, and dedicate the infrastructure to Goleta Sanitary District for ongoing maintenance and operation.

The "Plan for Providing Services within the Affected Territory," established the ability and willingness of the Goleta Sanitary District to adequately serve this site.

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

The project site is zoned for residential use and as such does not provide any agricultural uses.

7. Assessed Value, Tax Rates and Indebtedness:

The assessed value and tax rate for the property will not be affected by this change. All of the five parcels are in Tax Rate Area 069016. The net assessed value of land is \$2,321,239 and improvements is \$2,779,785 for a net value of \$5,101,024 on the 2017-18 roll.

The Goleta Sanitary District requests the subject territory, upon annexation, be liable for payment of its share of existing indebtedness to be repaid by user charges, which the staff recommends be included as a condition of approval. The Tax Collector will add to assessments on the regular tax bill levied against the residence.

7. Environmental Impact of the Proposal:

Commission's staff has determined that the sphere of influence and annexation is Categorically Exemption pursuant to CEQA Guidelines Section 15303 (a) and 15319(b) (New Construction or Conversion of Small Structures) and (Annexation of Existing Facilities and Lots for Exempt Facilities) (**Exhibit D**).

9. Landowner and Annexing Agency Consent:

As the applicant, the landowners consent to annexation to the Goleta Sanitary District. All of the landowners signed the annexation application.

The Goleta Sanitary District consents to the waiver of conducting authority proceedings provided LAFCO does not record the annexation without prior consent of the District.

10. Boundaries, Lines of Assessment and Registered Voters:

There are no conflicts with lines of assessment or ownership. With the addition of the intervening four parcels, the proposed sphere of influence revision and annexation is contiguous to the District. The site is uninhabited; namely, there are fewer than 12 registered voters.

The boundaries are definite and certain.

Conclusion:

The proposed sphere of influence revision and annexation represents a reasonable and logical extension of district services. The requested service extension is necessary because the is The State Water Resources Control Board has determined that the on-site

reservoir cannot meet State drinking water regulations unless the existing septic system is abandoned and the site is connected to a public wastewater system.

The developed and vacant parcels are large enough in area to be served by existing or future septic systems, but are too small to be further subdivided with current zoning of 1.5-acre minimum parcel size. This would apply even if they received service from the district.

Again, for the above reasons, the proposed sphere of influence revision and annexation represents a reasonable and logical extension of district services.

EXHIBITS

- | | |
|-----------|---|
| Exhibit A | Vicinity Map of the Proposed Annexation |
| Exhibit B | Detail Map of the Proposed Annexation |
| Exhibit C | Letter from State Water Resources Control Board |
| Exhibit D | Categorical Exemption - CEQA Guidelines Section 15303(a) (New Construction or Conversion of Small Structures) and 15319(b) (Annexation of Existing Facilities and Lots for Exempt Facilities) |
| Exhibit E | LAFCO Resolution Approving the Sphere of Influence Revision and Annexation |

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 and resolution (**Exhibit E**) as follows:

- a. Find the proposal to be Categorically Exempt (Class 3 and 19) from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303(a) and 15319(b).
- b. Approve the proposal, known as the La Cumbre Mutual Water Company Sphere of Influence Revision and Annexation to the Goleta Sanitary 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 District

- c. Find the subject territory is uninhabited, all affected landowners have given written consent and 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 –Deny the request.

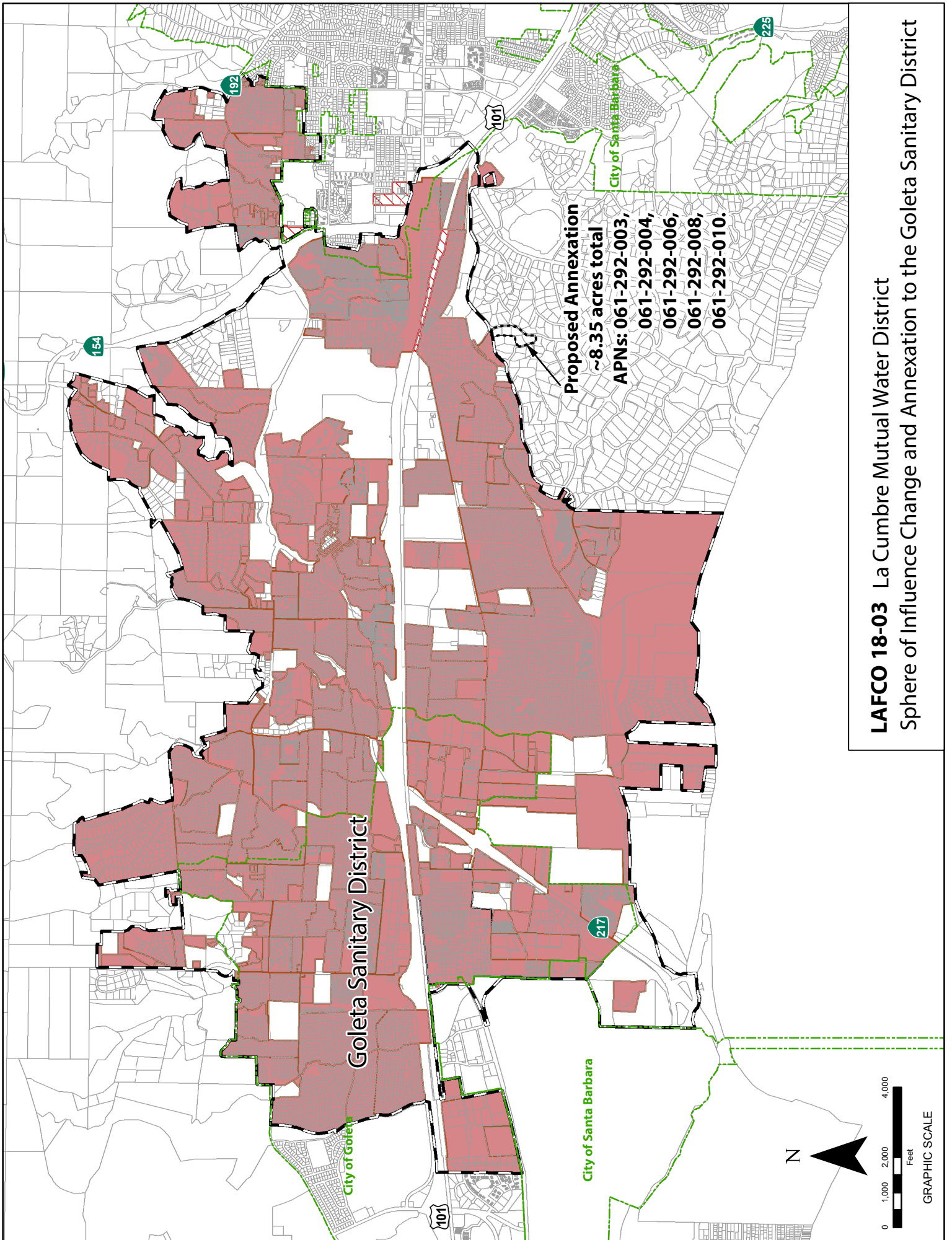
OPTION 3 - Continue the item to obtain additional information.

RECOMMENDED ACTION:

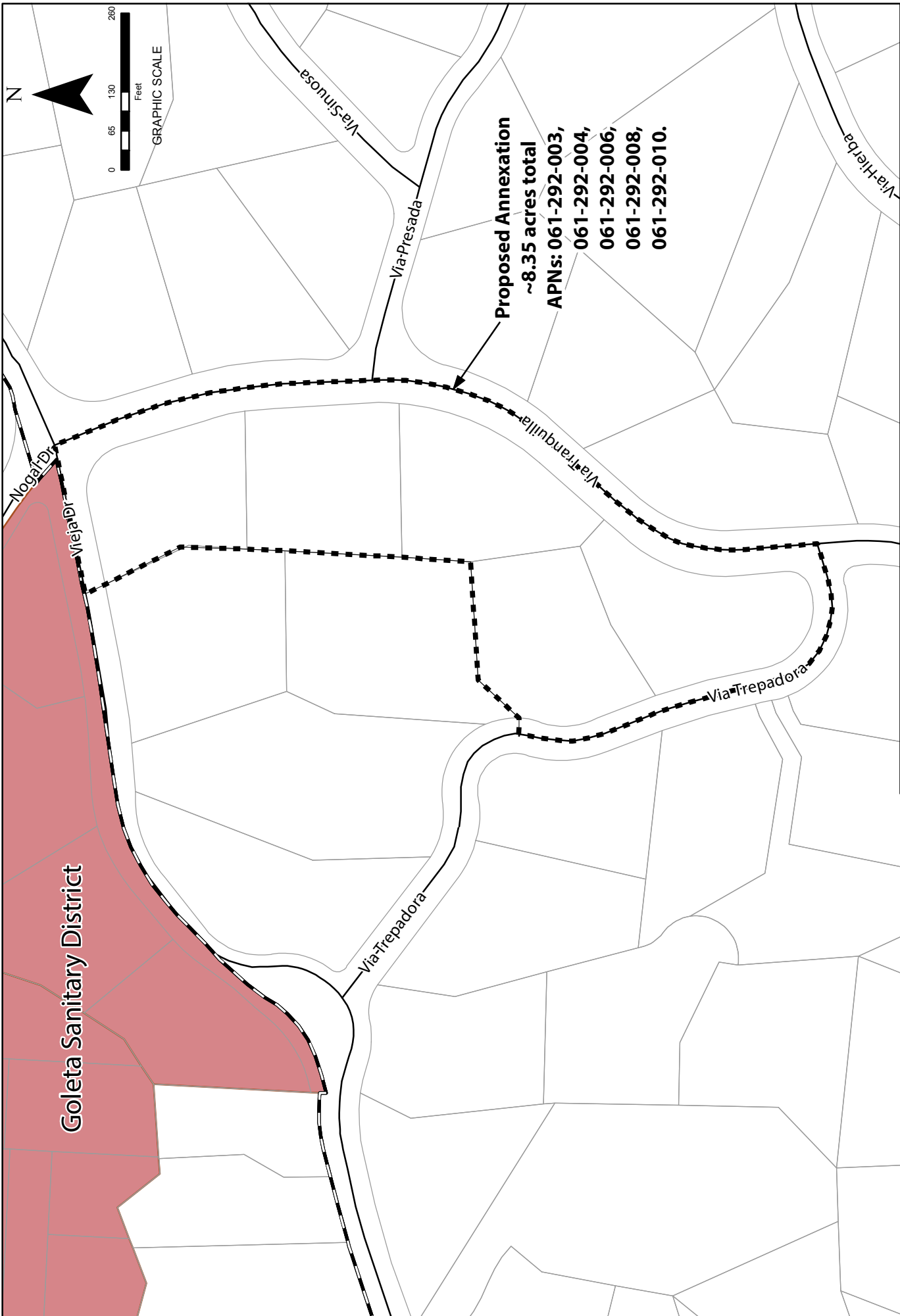
Approve OPTION 1.



PAUL HOOD
Executive Officer
LOCAL AGENCY FORMATION COMMISSION



LAFCO 18-03 La Cumbre Mutual Water District
 Sphere of Influence Change and Annexation to the Goleta Sanitary District



Proposed Annexation
~8.35 acres total
APNs: 061-292-003,
061-292-004,
061-292-006,
061-292-008,
061-292-010.

LAFCO 18-03 La Cumbre Mutual Water District
Sphere of Influence Change and Annexation to the Goleta Sanitary District



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

February 26, 2018

La Cumbre Mutual Water Company
695 Via Tranquila
Santa Barbara, CA 93110

Attention Mr. Mike Alvarado, General Manager

Dear Mr. Alvarado

Thank you for bringing to the attention of the Division of Drinking Water (DDW) the discussion regarding replacing the existing onsite wastewater treatment system at the La Cumbre Mutual Water Company's office location (695 Via Tranquila, Santa Barbara, CA). Also located on this site is a partially buried reservoir containing 750,000 gallons of drinking water. According to Article 6, (b), (12), (C) of the drinking water regulations, the reservoir must be at least 50 horizontal feet from a sanitary sewer and 100 horizontal feet from any other waste facility and force main. DDW is concerned the size of the property does not allow sufficient set back from the onsite storage reservoir.

The storage reservoir is mostly located below grade and was built in 1929 which makes it more susceptible to potential subsurface contamination. The Division of Drinking Water strongly suggests the onsite waste treatment system be properly abandoned and the LCMWC pursue a sewer connection to this property to be protective of the quality of the drinking water stored on site. Relocating an onsite water treatment system near the potable water storage reservoir is prohibited within 100 feet of the storage reservoir and DDW strongly suggests it not be located on this site at all to be protective of public health.

Sincerely,

Jeff Densmore, P.E., District Engineer
Santa Barbara District
State Water Resources Control Board
Division of Drinking Water

NOTICE OF EXEMPTION

Filing of Notice of Exemption in Compliance with Section 21108 of the Public Resources Code

TO: County Clerk
County of Santa Barbara
105 East Anapamu Street
Santa Barbara CA 93101

FROM: Local Agency Formation Commission
105 East Anapamu Street, Room 407
Santa Barbara CA 93101
805/568-3391

PROJECT TITLE: **LAFCO 17-04** Le Cumbre Mutual Water Company Sphere of Influence and Annexation to the Goleta Sanitary District

PROJECT LOCATION AND DESCRIPTION:

The area to be proposed to be included in the sphere of influence and annexation consists of five parcels comprising approximately 8.35 acres. The proposal is adjacent to portions of the following roads: Vieja Drive on the North, Via Tranquilla on the east, and Via Trepadora on the portion to the West. The proposal is located within an unincorporated area of the County of Santa Barbara lying south-westerly of the City of Santa Barbara.

The proposal is exempt from CEQA pursuant to CEQA Guidelines Sections 15303(a) and 15319(b), which provides an exemption:

The Commission has determined that the sphere of influence and annexation is Categorical Exemption pursuant to CEQA Guidelines Section 15303 (a) New Construction or Conversion of Small Structures and 15319(b) and Annexation of Existing Facilities and Lots for Exempt Facilities.

The Santa Barbara Local Agency Formation Commission approved the above-referenced project on October 11, 2018 and has determined it to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and local Guidelines for the implementation of CEQA.

Exempt Status:

- Ministerial
- Statutory
- Categorical Exemption:
Project is a funding mechanism is exempt from CEQA pursuant to CEQA Guidelines Sections 15303(a) and 15319(b).
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061 (b,3)]

By: _____
Commission Secretary

Date: _____

LAFCO 18-20

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE SPHERE OF
INFLUENCE REVISION AND LA CUMBRE MUTUAL WATER COMPANY
ANNEXATION TO THE GOLETA SANITARY 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, Sphere of Influence Revision 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 proposal has been reviewed and found to be Categorically Exempt (Class 3) and (Class 19) from the California Environmental Quality Act;
- (2) The subject proposal is assigned the distinctive short-form designation:
THE SPHERE OF INFLUENCE REVISION AND LA CUMBRE MUTUAL
WATER COMPANY ANNEXATION TO THE GOLETA SANITARY
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;
- (5) The proposal is subject to the following terms and conditions:

- (a) Find the proposal to be Categorical Exempt (Class 3) and (Class 19) from the California Environmental Quality Act (CEQA) pursuant to Guidelines Sections 15303(a) and 15319 (b);
 - (b) Adopt this report and resolution approving the proposal, to be known as the, La Cumbre Mutual Water District Sphere of Influence Revision and Annexation to the Goleta Sanitary District, conditioned upon the annexed territory being liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District;
 - (c) Find that the subject territory is uninhabited and 1) all affected landowners have given written consent to the annexation and 2) the annexing agency has consented to waive conducting authority proceedings; and
 - (d) Waive the conducting authority proceedings and direct the staff to complete the proceeding; and
- (6) 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 October 11, 2018 and is effective on the date signed by the Chair.

AYES:
NOES:
ABSTAINS:

Dated: _____
Roger Welt, Chair
Santa Barbara Local Agency Formation Commission

ATTEST:

Jacquelyne Alexander, Clerk
Santa Barbara Local Agency Formation Commission