

# Santa Barbara LAFCO

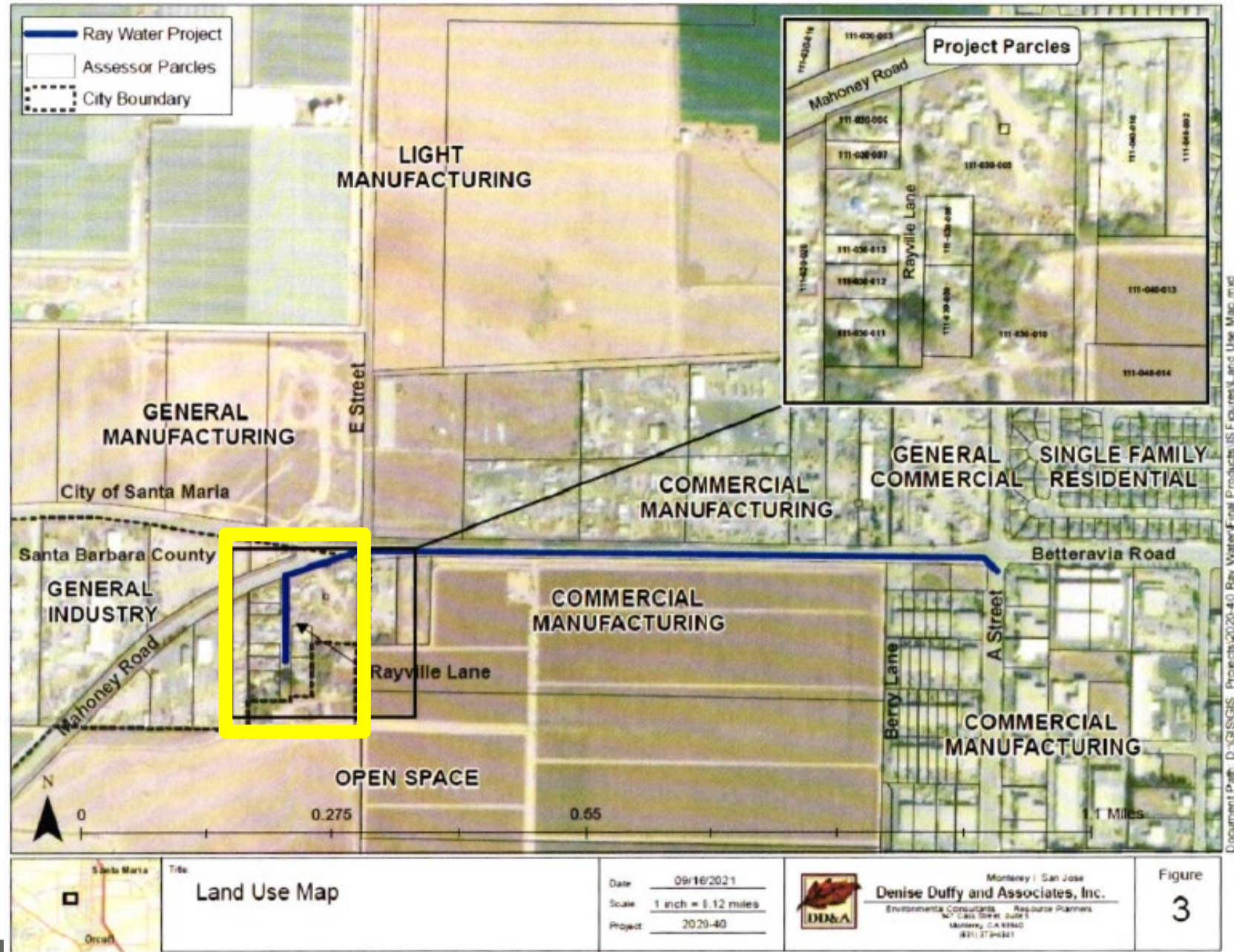
## Ray Water Company Out-of-Agency Service Agreement to City of Santa Maria

April 6, 2023

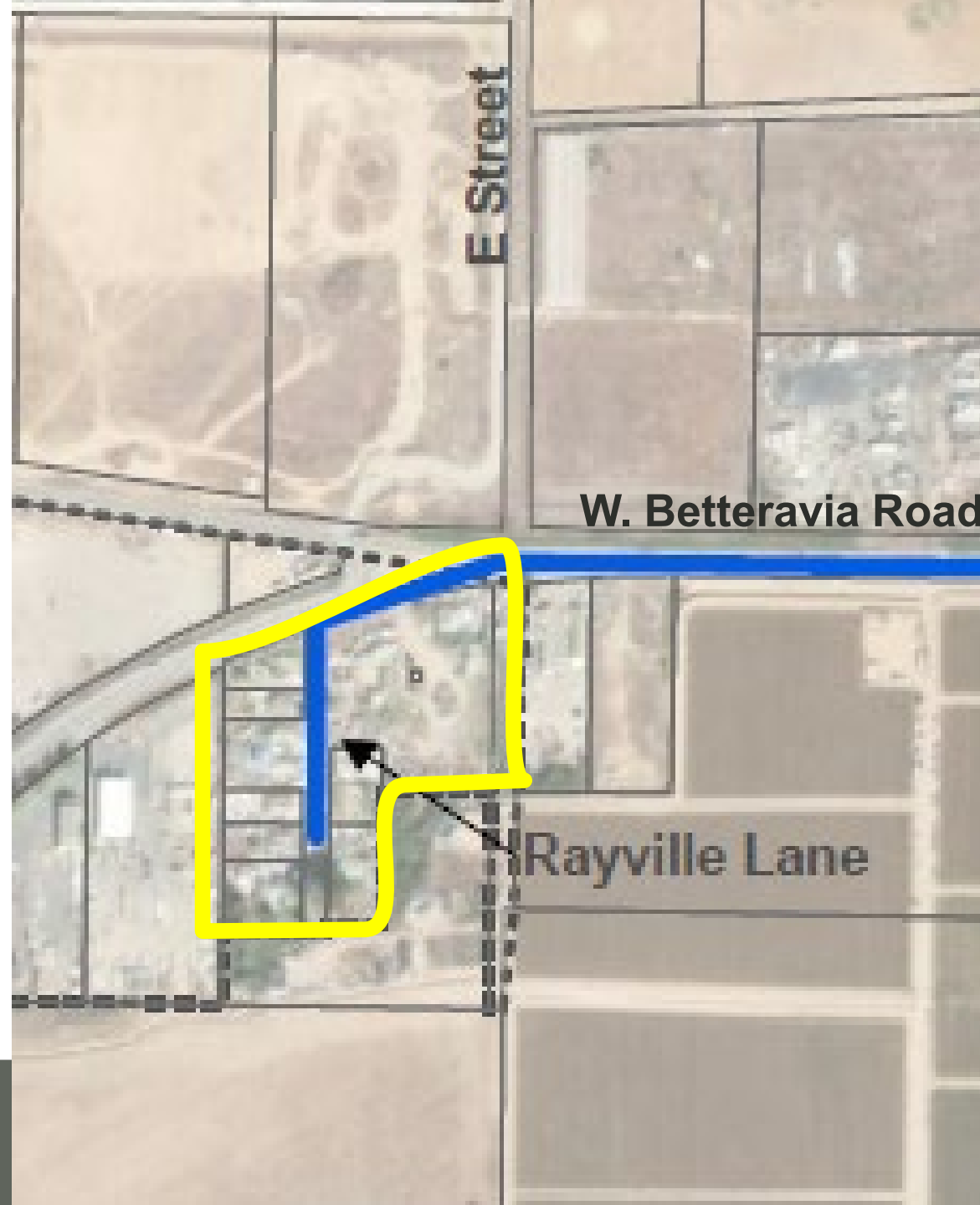
# Background

- Applicant: City of Santa Maria, by resolution
- Location: Approx. 6.6 acres located west on Betteravia Road (9 - APNs 111-030-005 (3.01 acres), 111-030-006 (0.30 acres), 111-030-007 (0.20 acres), 111-030-008 (0.33 acres), 111-030-009 (0.43 acres), 111-030-011 (0.49 acres), 111-30-012 (0.25 acres), 111-030-013 (0.22 acres), 111-040-010 (1.40 acres))
- Purpose: Ray Water Company is requesting a domestic water connection from the City of Santa Maria
- Existing well water source tested to have nitrate levels exceeding the State-mandated, and has been cited by Environmental Health Services (SBC EHS) for noncompliance
- The existing site contains 11- SFR and 2 commercial uses with 40 employees

# Vicinity Map



# OASA Map



# Location and Sphere of Influence

- The proposal area is within the City's Sphere of Influence (Updated in 2016)
- Ray Water Company and City has agreed to water service
- The existing city water main runs within W. Betteravia Road approx. 60-feet away
- The City of Santa Maria and the Property Owner have provided documentation of a threat to the health and safety of the public or the affected residents

# Land Use, Planning and Zoning

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- The uses are residential 11 single family residences (approx. 45 people) and 2 commercial facilities (approx. 40 employees)
- No changes in land use will be facilitated by the proposed OASA
- Land use designations and zoning are General Industrial in the County (Industrial) zoned (M-2)

Out of Agency Service  
Agreement  
Item No 1

# Plan for Services

- The City's Plan for Services outline the adequate services, facilities, and improvements
- The Plan for Services address the provision of governmental services and financing of improvements
- Plan for Services found in Attachment C
- Consists of a water main, a distribution line, and service connections, include 4,860 linear feet (0.92 miles) of pipeline. Water main will extend from the intersection Mahoney Rd and Rayville Lane to the intersection of Betteravia Rd and A Street to connect with the City's water system (approx. 3,400 feet in length)
- The City and the landowners have provided documentation of a threat to the health and safety of the public or the affected residents & employees

# Environmental Determination

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- The City of Santa Maria has adopted a Mitigated Negative Declaration (SCH# 2022060195) for this project
- The main CEQA issue for this project is whether the provision of potable water services to Ray Water Company would cause growth inducing impacts. The extension can be found to **Not** be growth inducing:
  - The existing City water line is already located within reasonable distance to the site;
  - Main line extension from A Street to Ray Water Company site (Rayville Lane);
  - Community is already receiving waters and developed, no new housing or development associated with extension;
  - Services to Ray Water Company site would be limited to the properties listed.
- The Commission will file a Notice of Determination following approval of the proposal and environmental determination.

Out of Agency Service  
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# City and Landowner Consent

- Commission policy states that when property may ultimately be annexed to a city or a district, approval of an Out-of-Agency Service Agreement should require the landowners to agree to annex the territory with a consent to annex form
- A condition of approval has been added
- Both City & Property owners have also consented to the Out-of-Agency Service Agreement

# Conclusion

- The application is in response to an existing or impending threat to the public health and safety. This allows the City to best provide services in the future.
- An existing main water line is approx. 60-feet away extending 4,860 linear feet.
- Provision under an out of agency service agreement must meet the findings of GC section 65133(b), services may be extended outside of an agency but within its sphere of influence in anticipation of a later change of organization. This would require significant planning studies including associated CEQA review.

# Recommendation

**OPTION 1 – APPROVE** the request for an Out-of-Agency Service Agreement, subject to the following terms and conditions:

- a) The City's provision of water services shall be limited to the 6.6 acres located at Right-of-Way, Betteravia Road, APNs 111-030-005 (3.01 acres), 111-030-006 (0.30 acres), 111-030-007 (0.20 acres), 111-030-008 (0.33 acres), 111-030-009 (0.43 acres), 111-030-011 (0.49 acres), 111-30-012 (0.25 acres), 111-030-013 (0.22 acres), 111-040-010 (1.40 acres).
- b) The landowners shall execute and record an agreement approved by the Executive Officer that consents to any future annexation of the territory, which agreement shall enure to and bind all successors in interest to the property.
- c) Said out-of-agency service agreement is for potable water service only shall remain in effect until such time as an annexation is approved by the Commission.