

LAFCO

Santa Barbara Local Agency Formation Commission

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September 1, 2005 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street
Santa Barbara CA 93101

Municipal Service Reviews and Sphere of Influence Updates for the Santa Barbara-Goleta Valley Area

Dear Members of the Commission:

RECOMMENDATION

It is recommended the Commission accept public testimony, make changes as needed and approve the Municipal Service Review for each local agency contained in the report for the Santa Barbara/ Goleta Valley area.

It is further recommended that the Commission consider and approve the recommendations for the related Spheres of Influence.

DISCUSSION

Since the release of the Agency Review Draft several agencies have provided formal comments. Responses to these comments are attached. Two significant issues have been raised regarding spheres of influence. First, what is the governmental future of the Eastern Goleta Valley? And second, should there be a single sphere of influence for sanitary districts in the Goleta Valley?

Governmental Future of the Eastern Goleta Valley

This area between the cities of Goleta and Santa Barbara, called the “Eastern Goleta Valley” or “Noleta,” has generated significant public interest and attention by local agencies. The City of Santa Barbara has endorsed a proposal by the Committee for One to extend its sphere of influence to include the entire area, west to the City of Goleta.

The City of Goleta, after initially indicating it has no plans to serve areas outside its current boundaries, provided an August 19 letter stating the MSR for the City should delete a statement that the City is not interested in expanding its borders.

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Commissioners: Tim Campbell, Chair ♦ Joe Centeno ♦ Dick DeWees ♦ John Fox ♦ Bob Orach ♦ Susan Rose ♦ Bernice Stableford

♦ Jack Hawxhurst ♦ Brooks Firestone ♦ Penny Leich ♦ Cathy Schlottmann ♦ **Executive Officer:** Bob Braitman

Legal Purpose of Spheres of Influence

Some individuals may misunderstand the statutory purpose of a sphere of influence or may wish to rely on spheres for other purposes. A sphere of influence is LAFCO's "plan for the probable physical boundaries and service area" of a city or special district. Placing land within an agency's sphere indicates the land should at some point be annexed to that agency.

In staff's view an accurate analogy liken a sphere of influence to an "engagement" and that an annexation to a "marriage." One does not become engaged without the definite expectation of being married, and doing so within the foreseeable future.

It appears some members of the public may view spheres in a somewhat different light, that they should be adopted to identify an area where an agency should have an interest or that spheres should "protect" the area from being included in another agency's sphere. There may not even be an interest or desire to be annexed to the agency.

- Application by the Committee For One

The Committee For One, a citizen's organization of long standing, submitted an application to the Commission in early 2003, requesting that LAFCO expand the City of Santa Barbara's sphere of influence to include the Eastern Goleta Valley.

When the Commission considered that request on November 6, 2003, it determined to retain the previously approved MSR and SOI Update schedule and hear the Committee's request at the end of that study process, which is now occurring.

- Petition by West Santa Barbara Committee

The West Santa Barbara Committee, a more recently-formed citizen's group, also advocates expanding the City of Santa Barbara's sphere of influence in the Eastern Goleta Valley. The Committee circulated an informal petition that was signed by a large number of Goleta Valley residents and was delivered to the City Council.

On Tuesday, August 23 the City Council considered this matter and added its support to the request to expand its sphere of influence to encompass the Goleta Valley.

The staff has been concerned about the fairness or accuracy of the way this matter has been presented to the public, namely that it is virtually inevitable that the Eastern Goleta area must be included in either the City of Goleta or the City of Santa Barbara.

In October 2003 letters sent by the West Santa Barbara Committee to Goleta Valley residents stated that “Remaining an independent area is no longer an option. Goleta or Santa Barbara? You have to make your preference known.” That letter and the staff’s analysis provided to County Supervisor Susan Rose are enclosed.

The Commission may recall the November 6, 2003 LAFCO meeting was well attended by members of the public. It was partly due to a letter sent the San Antonio Creek Homeowners Association that stated “Our independent area now controlled by the Board of Supervisors will not remain. LAFCO must decide if we will be a part of Goleta or Santa Barbara.”

By Summer 2004 the West Santa Barbara Committee’s message was somewhat toned down but still created the clear impression the Eastern Goleta Valley would be annexed to one city or the other. It included these statements:

For example, if our area is placed in the Sphere of Influence of the City of Santa Barbara, we will likely end up one day annexed to that city. Similarly, if we are placed in the Sphere of Influence of the City of Goleta, we will end up being annexed to that city. However, we can remain in a city’s Sphere of Influence for decades without being actually annexed

While it is clear many Eastern Goleta Valley residents who share a “Santa Barbara” zip code identify more with Santa Barbara than Goleta (despite being in the Goleta Water District, Goleta Sanitary District and Goleta Union School District, it is not true that LAFCO must expand either city’s sphere of influence to include all or any portion of the area.

- Mobile Home Park Regulation

There are three mobile home parks in the Eastern Goleta area, in close proximity to the City of Santa Barbara. The County’s rent regulation ordinance includes a provision that when a resident departs a park the rental fee for that space is “protected” for the incoming resident, who will have the same insulation against future rent increases. This has the effect of increasing the value of existing mobile homes since, in accordance with the County ordinance, the currently restricted rental rates can be transferred to new owners.

Similar protections will apparently not exist if these properties are annexed to a city unless the city adopts a similar ordinance. The staff understands there may be legal difficulties with this approach. Santa Barbara City Attorney Steve Wiley is well informed about this matter based on the discussion that occurred at the August 23 City Council meeting.

The Commission received many letters from mobile home park residents expressing sincere concern about being included in a city that is not able to provide the continued rent control protection of the current County ordinance.

It was noted that being in a City sphere of influence is not the same as being annexed and does not have any effect on County ordinances. While that is true being included in a sphere should be a significant step towards annexation. Without a realistic intent to annex the land, including the land within a City's sphere seems to be an unproductive action.

- Options for the Commission

With respect to all of these issues, the staff thinks the Commission has available to it at least the following options. Approve the Municipal Service Reviews for the affected agencies and

1. Determine to include the entire Eastern Goleta Valley within the sphere of influence of the City of Santa Barbara as proposed by the Committee for One and endorsed by the City of Santa Barbara. (See enclosed map)
2. Determine to divide the Eastern Goleta Valley into the spheres of influence of the City of Goleta and City of Santa Barbara.

This is a more difficult choice because; while the City of Goleta recently indicated it may wish to have a sphere larger than its boundaries, it has provided no direction as to what properties it thinks should be included within its sphere.

Complicating this is the fact that the City has not adopted a General Plan of land uses that the Commission has determined should precede the adoption or amendment of a city sphere.

3. Take no action to adjust either City's sphere of influence at this time, perhaps pending adoption of the City of Goleta's General Plan.
4. Expand the City of Santa Barbara's sphere of influence only in conjunction with specific annexations to the City and process both changes concurrently.

The advantage of this approach is that those who have expressed interest in being in the City's sphere will understand such an action also entails annexation to the City.

Furthermore the City will have rezoned the annexation area (as required by statute) and environmental reporting will have been completed for the underlying land use.

5. Adopt a similar policy for the City of Goleta's sphere of influence pending adoption of the City of Goleta's General Plan.
6. Delay modifying either city's sphere of influence; conduct a publicized Commission meeting in the Eastern Goleta Valley to receive comments and testimony from the public and the affected agencies.

Please note that sphere of influence amendments are "projects that require compliance with CEQA. Therefore final action to amend spheres should be continued to a future meeting at which time the proper environmental documents will be available for approval.

Recommended Action

Adopt the Municipal Service Review and Sphere of Influence Updates as recommended except for the cities of Goleta and Santa Barbara, and.

Schedule and conduct a Commission meeting in the Eastern Goleta Valley to receive testimony from the public and the affected agencies regarding the city spheres.

Please contact the LAFCO office if you have any questions.

Sincerely,

BOB BRAITMAN
Executive Officer

Enclosures

- A. Map of Goleta Valley with city boundaries
- B. UCSB letter (August 22) and staff response
- C. Bruce Rickborn letter to LAFCO (August 20)
- D. City of Goleta letter (August 19) and staff response
- E. Goleta Sanitary District letter (August 16) and staff response
- F. Goleta West Sanitary District letter (August 4) and staff response
- G. Susan Grgich letter (October 2003) to San Antonio Creek Homeowner Association
- H. West Santa Barbara Committee "Dear Neighbor" letter (October 23) and LAFCO staff response to Supervisors Susan Rose (November 14, 2003)