

LAFCO

Santa Barbara Local Agency Formation Commission

105 East Anapamu Street ♦ Santa Barbara CA 93101

805/568-3391 ♦ FAX 805/647-7647

www.sblafco.org ♦ lafco@sblafco.org

June 5, 2008 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street, Room 403
Santa Barbara CA 93101

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

Dear Members of the Commission:

RECOMMENDATION

It is recommended the Commission continue this matter indefinitely while the County of Santa Barbara processes the pending applications for this property, or

As an alternative allow the Goleta Water District to withdraw its current application without prejudice and with a waiver of the processing fee when the matter is resubmitted in the future, presumably after the County has completed its current planning procedures.

DISCUSSION

When this annexation was heard by the Commission on March 6, 2008 the staff recommended it be found to be categorically exempt. (Class 19 - Annexation of Existing Facilities and Lots for Exempt Facilities). This was based on the fact that the property recommended for annexation is parcelized to the extent permitted by current general plan and zoning designations.

Since that time we have become aware that the County is processing permits for the property and has determined, in consultation with the applicant, that an environmental impact report ("EIR") should be prepared for this project. Therefore, the County has assumed the role of "lead agency" under CEQA and it is appropriate for LAFCO to wait for the completion and certification of the EIR prior to taking any action.

In light of this development, it would be inappropriate to attempt to claim the project is exempt from CEQA when another agency is preparing an environmental analysis. The prudent course of action is to delay the hearing on the annexation pending completion of the County's review.

LAFCO will comment on the County EIR scoping document and any draft EIR to ensure these cover any actions to be taken by LAFCO on the proposed annexation of the two parcels.

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In summary, the staff recommends this matter be continued until some time in the future after the County has completed its review or the District be allowed to withdraw the application without prejudice and with the waiver of fees for the resubmittal.

Please contact the LAFCO office if you have any questions.

Very truly yours,

BOB BRAITMAN
Executive Officer

cc: Dianne Black, Director of Development Services, County of Santa Barbara
Howard Zelefsky, Vice President, Makar Properties, LLC
Kevin Walsh, General Manager, Goleta Water District