

# LAFCO

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## **Santa Barbara Local Agency Formation Commission**

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July 5, 2007 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

### **Sphere of Influence of County Service Area No. 5 – Expand to Include Orcutt Community Plan Area**

Dear Members of the Commission:

#### Recommendation

It is recommended the Commission accept all public testimony, certify that it has reviewed the Environmental Impact Report for the Orcutt Community Plan, make the determinations as set forth in this report and expand the Sphere of Influence of County Service Area No. 5 to include the planned Orcutt Community, as shown on the enclosed map.

#### DISCUSSION

##### Requirement to Adopt and Update Spheres of Influence

The Cortese-Knox-Hertzberg Local Government Reorganization Act, Government Code Section 56076, defines a sphere of influence as ". . . a plan for the probable boundaries and service area of a local agency, as determined by the commission."

Furthermore, Section 56425 (a) states that:

"In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency within the county."

LAFCOs are required to periodically review and update adopted spheres and are obligated to consider requests that are submitted by individuals or local agencies to modify spheres.

##### County Service Area No. 5

County Service Area No. 5 maintains parks and open space in the Orcutt community. Since 2004 there have been several annexations to CSA No. 5 based on the County requirement that land be annexed in conjunction the approval of land use development projects in the Orcutt area.

Since the district boundaries and sphere are largely coterminous, each annexation has required a corresponding change in the sphere in order for the Commission to approve the annexation, and the related processing fees for the affected property owners.

The Commission considered CSA No. 5 in the Municipal Service Review and Sphere of Influence Update of local agencies the Santa Maria Valley. On February 2, 2006, in updating the district sphere, the Commission adopted the following statement:

As annexations to the district are proposed, it is necessary to expand the sphere. To reduce expenses for those being annexed and reduce the LAFCO workload, consideration should be given in the next sphere expansion to including any areas planned for urban development in the general plan for the Orcutt community.

This proposed expansion of the district's sphere results from that direction; the staff commends to the staff of CSA No. 5 for preparing and submitting this proposal.

#### Description of Proposed Sphere Expansion

The area to be included in the sphere is that portion of Orcutt Community Plan that is planned for urban development and is not currently within the sphere.

This area is generally bounded on the east by SR 101, on the west by SR 1 including the Rancho Maria Golf Club, on the north by the boundaries of the City of Santa Maria and on south by the urban development demarcation of the Orcutt Community Plan, as shown on the enclosed map.

#### A Sphere expansion is not an annexation

There is an important distinction between a change in the sphere of influence and an annexation. Placing land within a sphere of influence does not annex that land to the district. Because the law requires boundary changes to be consistent with the sphere of influence of the affected agency, expanding the sphere makes the land eligible for annexation. LAFCO is prohibited from approving an annexation unless the territory is within the annexing agency's sphere.

Spheres are meant to address long-term issues of resource management, urban form and public services. They do not require the same level of detail as annexations with respect to specific

public improvements, timing and other conditions. Each annexation must be individually weighed and evaluated on its own merits and in light of the numerous factors LAFCO must consider when reviewing a proposed annexation.

#### Consideration of Environmental Issues

The adoption and modification of spheres of influence are "projects" as defined by California Environmental Quality Act (or CEQA) and are subject to environmental evaluation and reporting.

The County, in consultation with LAFCO, prepared and certified an Environmental Impact Report for the Orcutt Community Plan (95-EIR-01). This EIR addresses projected land uses and resource and public service issues for Orcutt, including the proposed sphere expansion area. If members of the Commission wish to review the Orcutt Plan Community EIR please advise the staff and we will make it available to you.

This EIR was distributed to the members of the Commission for their review for prior boundary changes including Refiled Mesa Verde Reorganization (LAFCO 05-4), Stonegate Reorganization (LAFCO 05-18), Vintage Ranch Reorganization (LAFCO 06-2) and Orcutt Creek Estates Reorganization (LAFCO 06-18). For CSA No. 5 sphere changes and annexations, the County is the lead agency and LAFCO is a responsible agency.

#### Sphere of Influence Determinations

The statute requires that in deciding a Sphere of Influence of a local agency the Commission should adopt four determinations, as listed below with proposed wording.

1. Present and planned land uses in the area, including agriculture and open-space.

Present land uses are primarily open space with some scattered residential uses. Following expansion of the sphere and subsequent annexations, urban uses may eventually be developed which will be primarily residential with some commercial and public uses.

2. Present and probable need for public facilities and services in the area.

As territory within the proposed sphere is developed in the future, a standard requirement will be annexation to County Service Area No. 5 to fund parks and open space.

Other public service needs within the Orcutt area will include domestic water supply, sewage collection, treatment and disposal, adequate roads, law enforcement, fire protection, street

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lighting and other standard municipal type services, all of which will be provided by public agencies other than CSA No. 5.

3. Present capacity of public facilities and adequacy of public service that the agency provides or is authorized to provide.

CSA No. 5 has sufficient funding to maintain its existing public parks and open space within the Orcutt area which is its existing function.

4. Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

Orcutt is the social and economic community of interest relevant to this agency whose sole purpose is to fund public parks and open space in the Orcutt area.

Please contact me if you have questions regarding the foregoing staff report or recommendations.

Very truly yours,

**BOB BRAITMAN**  
Executive Officer